CONFERENCE ON DISARMAMENT

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Held at the Palais des Nations, Geneva,
on Thursday, 8 February 1996, at 10 a.m.

President: U Aye (Myanmar)

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The PRESIDENT: I declare open the 724th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of Algeria, Thailand, the United States of America, Nigeria and Indonesia. Once we have listened to the speakers on the list, I intend to invite the Conference to consider the new requests received from Gabon and the United Arab Emirates for participation in our work as non-members. As usual, these requests have been placed in delegations' pigeon-holes. I now give the floor to the representative of Algeria, Ambassador Meghlaoui.

Mr. MEGHLAOUI (Algeria) (translated from French): Mr. President, two periods are particularly intense in the CD - the beginning and the end of the session. This year as well, at this initial stage of our proceedings, the rule has been respected. On taking the Chair, you found yourself facing special challenges. You have succeeded to a great extent in taking them up. It is with genuine pleasure that I reiterate my warmest congratulations to you. The Algerian delegation encourages you to continue your efforts. We will continue to provide our full support to you.

I would like to take this opportunity to welcome warmly Mr. Vladimir Petrovsky, the Secretary-General of the CD and Personal Representative of the United Nations Secretary-General, his deputy Mr. Abdelkader Bensmail and all their staff. I would like to thank them very sincerely for the assistance they give us with great professionalism and unfailing dedication.

36 years ago, almost to the day, the first nuclear explosion took place in Algeria. This gives us at least one more reason to see the CTBT concluded and enter into force as soon as possible. The Algerian delegation welcomed with great satisfaction the re-establishment of the Ad Hoc Committee on a Nuclear Test Ban, the appointment of Ambassador Jaap Ramaker as Chairman of the Ad Hoc Committee and of Ambassadors Berdennikov and Mounir Zahran at the head of Working Groups 1 and 2. The three of them are well known for their experience and their diplomatic skills. We are convinced that under their wise guidance the CTBT negotiations will be successfully concluded within the deadline hoped for by the international community. We would like to congratulate them sincerely and assure them of the full cooperation of the Algerian delegation.

For several decades now the issue of nuclear tests has stirred the international community. We had another opportunity quite recently to appreciate the strength of the feelings generated. Today, in the light of the negotiations which have taken place in the framework of the CD, it can be said that never before have we been so close to the conclusion of a legal instrument which responds to the profound aspirations of mankind, that is, a universal treaty completely banning nuclear tests, a treaty which will be effectively verifiable and which will be a genuine contribution to disarmament and non-proliferation in all its aspects.

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Since the opening of the negotiations in January 1994, much progress has been made - for which sincere thanks are due to Ambassadors Miguel Marín Bosch of Mexico and Ludwik Dembinski of Poland, as well as all those who assisted them. Nevertheless, despite the progress made, much remains to be done, and not much time remains to do it. We have no alternative but to step up the negotiations so that the treaty can be finalized by the deadline set by the United Nations General Assembly. That is the keen desire of the Algerian delegation.

Allow me, at this decisive stage of the negotiations, to take this opportunity to address some important points of the rolling text in a little more detail. With regard to scope, the Algerian delegation has already spoken in favour of a complete ban on all nuclear tests and explosions, in all environments, for ever. No exception should be allowed under any pretext, and that includes nuclear explosions for peaceful purposes. No room should be left for the qualitative or quantitative development of nuclear arsenals, vertical or horizontal proliferation. The Algerian delegation has also indicated that everything that can be verified should be irrevocably banned. Conversely, this implies that what cannot be verified should not be referred to for the time being, without being explicitly or implicitly set aside. Our concern is both the credibility of the verification regime and the possibility of improving it as technologies evolve. At this stage in the negotiations we note with interest the increasing support for the "zero option".

With regard to the CTBT organization, my delegation is in favour of an independent organization maintaining certain links with IAEA. The nature of these links, in particular their implementation, should be considered in detail. Under this item, the membership of the Executive Council will merit particular attention. The Algerian delegation has already indicated its position and reiterated it on 1 February 1996 in Working Group 2 of the Ad Hoc Committee. That position is based on the following elementary principles: no permanent seats, no veto, no exclusion - we consider that exclusion runs counter to the principles of universality and democracy. So, no exclusion of a State party to the CTBT on any pretext. And finally, respect for the principle of the sovereign equality of States.

The membership of the Executive Council is a question too sensitive to be subject only to the criterion of technical expertise, important as that might be for the proper operation of that body. The political criterion is also important and has its place. Nuclear proliferation is both a global and a regional phenomenon. My delegation considers that every region should enjoy equitable representation. We recognize that a formula should be found to ensure a harmonious balance between technical and political constraints. Once the principles have been set, then and only then will we have a clearer idea concerning the quantified composition of the Executive Council.

I now come to the verification regime, and more specifically the issue of on-site inspections, which, be it recalled, was discussed in the utmost detail during the negotiations on the chemical weapons Convention. That precedent should serve us as a guide. OSIs are important for the effectiveness and efficiency of the verification regime. However, their relationship with the

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sovereignty of States, which rightly try to protect themselves against abuses, make this a sensitive question. For that reason as well as others, including financial reasons, moderate use should be made of OSIs. They should be authorized exclusively by the CTBT organization and conducted under its supervision alone. Information provided by the international monitoring system will constitute the basis for the decision to be taken by the organization after a preliminary procedure to clarify the situation which has given rise to a request for an OSI.

I will conclude this part of my statement with a few words on entry into force. On this point, the Algerian delegation's principal concern can be summarized in a sentence: The treaty must not be the hostage of any State or group of States. We are aware that a CTBT which is not accepted by at least the five nuclear Powers would remain fragile and its future uncertain. However, the entry into force of the treaty after a given number of accessions or ratifications - 60, for example - is the formula which we prefer. That being the case, we are inclined to think that States which have negotiated the CTBT should undertake to accept it, in order to be consistent and to set an example for the international community.

With the exception of the nuclear test ban Committee, the CD did not establish or re-establish any other ad hoc committee in 1995. This year, it has been decided to give priority to the CTBT, which we fully approve of with the great hope of seeing the negotiations crowned by success in the coming weeks. However, we have not forgotten that other equally important questions are waiting to be taken up by the CD. We have in mind in particular the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. We hoped at one point that the extension of the NTP for an indefinite period would promote a breakthrough in this area, which, be it recalled, has been under discussion for two decades now. In fact, the question of security assurances is as old as the NTP itself. Granting security assurances to non-nuclear States would be no more than the counterpart of the decision by those States to renounce voluntarily the possession of nuclear weapons. They too - hardly surprisingly - have a legitimate concern to ensure genuine security for their peoples and safeguard their independence, their territorial integrity and their sovereignty by every means. It must be acknowledged that an appropriate solution has not been found to this major problem so far. The only difference between Security Council resolutions 255 and 984 lies in the simple fact that the latter was accepted by the five nuclear Powers. The security guarantees are neither unconditional, nor uniform, nor legally binding. Resolution 984 falls well short of meeting the expectations of the non-nuclear States. It is of value only if it is considered as the starting-point for the negotiation of a multilateral convention which is legally binding and offers comprehensive and unconditional security assurances. Is that an irrational request when we bear in mind that an intergovernmental conference is considering a ban on anti-personnel mines on the grounds that their use has been denounced as illegal under international law?

The end of the cold war has freed the world from the spectre of nuclear war. Now it must be rid of nuclear weapons. The process conducted by the

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Conference on Disarmament should be aimed at that ultimate objective, which is not utopian and which has been already called for by the tenth special session of the United Nations General Assembly. Some try to justify the possession and qualitative and quantitative improvement of nuclear arsenals in terms of a concern to guarantee security for their countries and their peoples. We consider, for our part, that security, like peace, is indivisible. And that instead mankind needs economic and intellectual resources to be devoted to enhancing its well-being. We duly appreciate the efforts made by some nuclear Powers, particularly the United States and the Russian Federation, to reduce their arsenals of strategic weapons. Those efforts have led, inter alia, to the 1972 anti-missile (ABM) Treaty, START I, whose entry into force has been made possible thanks to Ukraine's accession to the NTP, and START II, the complete ratification of which we hope to see as soon as possible. However, all these efforts, praiseworthy and useful as they are, are characterized by bilateralism and cannot totally replace multilateral negotiations, the appropriate forum for which is incontestably the Conference on Disarmament. We believe that the establishment of an ad hoc committee on nuclear disarmament should be made a priority. In this regard, we fully support the G.21 declaration of 23 January 1996. We consider that to ensure serious chances of success, the Conference on Disarmament must adopt a balanced approach in its proceedings.

There is another question to which Algeria attaches great importance. My country is in favour of the immediate opening of serious negotiations in good faith on a convention to ban fissile material destined for the production of nuclear weapons or other nuclear explosives. The convention should be non-discriminatory, universal in scope and effectively verifiable. It must be a contribution to strengthening the non-proliferation regime and nuclear disarmament. The report presented by the Special Coordinator, Ambassador Shannon, constitutes an acceptable basis for launching negotiations.

At its very first ordinary session held in July 1964 in Cairo, the Assembly of Heads of State and Government of OAU adopted a declaration on the denuclearization of Africa. This identified one of the main concerns of the leaders of the continent. Today, we note with satisfaction that the Pelindaba Treaty will be opened for signature in Cairo at the beginning of April 1996. The Treaty constitutes an important disarmament measure and contributes to strengthening the non-proliferation regime. It contains three protocols open to some non-African Powers. We hope that they will help to make it effective and thus contribute to strengthening African security. Thanks to the Pelindaba Treaty the total area kept safe from nuclear proliferation around the world is expanding. It might expand even more - in the Middle East, for example, where the peace process has been developing in a positive direction - so that one day the world will be totally rid of nuclear weapons.

Before concluding, I would like to announce that I will soon begin my consultations. I will conduct them within the strict framework of the mandate given me by the CD. I know that my task as Special Coordinator on the agenda will be difficult. I count on the support and the understanding of every

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member of this august assembly. Let me add that I will certainly involve the member States of the G.23, that is, the States on the O'Sullivan list, in these consultations.

This leads me to reiterate the position of my delegation on the question of the expansion of the CD. We strongly support the immediate admission, without conditions and on a basis of equality, of all the States on the O'Sullivan list. We have expressed this position on several occasions. Let me cite our statements before the CD on 2 February 1994, 18 August 1994 and 21 September 1995. This Conference has already made a decision. We hope that it will be implemented as soon as possible.

The PRESIDENT: I thank the representative of Algeria for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Thailand, Mr. Maolanon.

Mr. MAOLANON (Thailand): Mr. President, since this is the first time my delegation takes the floor, may I take this opportunity to congratulate you on your assumption of the presidency of this Conference? I wish also to take this opportunity, on behalf of the Thai delegation, to put on record the Thai Government position on nuclear tests, as follows.

Thailand reaffirms its opposition to all nuclear tests, as they violate the spirit of the NPT and the NPT Review Conference decision in pursuit of nuclear non-proliferation and disarmament. In this regard, Thailand strongly urges all nuclear-weapons States to exercise the utmost restraint and a unilateral moratorium on nuclear tests. Since the French Government made the announcement on 29 January 1996 to end all its nuclear tests in the South Pacific, Thailand hopes that the merit of this action could contribute to the negotiation process of the CTBT and lead to its conclusion as originally planned. Thailand also hopes that France and all nuclear-weapons States will adhere to the CTBT as soon as the treaty is opened for signature. In addition, to strengthen the nuclear disarmament regime, Thailand, together with all the ASEAN countries, Laos, Cambodia and Myanmar, had already signed a Treaty on the Southeast Asia Nuclear Weapon-Free Zone at the ASEAN summit meeting held in Bangkok last December.

The PRESIDENT: I thank the representative of Thailand for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of the United States of America, Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Mr. President, last week you asked all CD members a number of questions about the CD's role regarding - and I quote your memo to us - "the question of nuclear disarmament". I responded to you bilaterally, but I think your questions and, I would like to think, my responses are important enough that they should be elaborated on the record.

All countries represented in the Conference on Disarmament agree on the need for discussions on nuclear disarmament which could lead to the ultimate goal of a world free of nuclear arms. For decades, the American people have supported the United States Government's nuclear disarmament efforts, of which START II ratification is the latest example. The START Treaty is resulting in very deep reductions - nearly 75 per cent - in the nuclear arsenals of the

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Russian Federation and the United States, and removal of all nuclear weapons from Ukraine, Kazakhstan and Belarus. Entry into force of START II will result in even deeper reductions. Nevertheless, views differ among CD States on where, at what pace, and how best to pursue broader efforts on nuclear disarmament.

The non-proliferation Treaty Review and Extension Conference last spring resulted in the indefinite extension of that Treaty, and was an historic accomplishment for all mankind. It is from the NPT and the NPT process that the United States derives its international commitments on nuclear disarmament. The preamble and article VI of the NPT state: "Desiring ... the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control" (preamble, paragraph 12), "each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control" (article VI). These treaty commitments are also binding on all other nation States in the world, except for those very few - and the current number is nine - who are not parties to the NPT. Several of that small and still diminishing number are members of the CD. That's an important factor to which I will return.

The "Principles and objectives" document for nuclear non-proliferation and disarmament adopted at the NPT Review and Extension Conference last May stated that "the Conference affirms the need to continue to move with determination towards the full realization and effective implementation of the provisions of the Treaty". That document, under the heading of "Nuclear disarmament", states further that "the undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament."

The document continues by pointing out that three measures noted in a "programme of action" are important "in the full realization and effective implementation of article VI". The first item is the completion, by the CD, of comprehensive-test-ban-treaty negotiations no later than 1996. The second item is the immediate commencement and early conclusion, by the CD, of negotiations on a convention on banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The third item is "the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control". Please note that the CD was recognized by the NPT parties as being responsible for negotiation of a CTBT and of a fissile material cut-off convention, but the CD was not accorded the same responsibility on efforts to reduce nuclear weapons

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globally. Please also note that the third item details disarmament commitments by both the five nuclear-weapon States and all other parties to the Treaty.

These clear and circumscribed NPT commitments notwithstanding, following our return to Geneva from New York, more emphasis was applied by some in the CD to the general concept of "nuclear disarmament". Linkage was created between getting on with the negotiation of a convention on the cut-off of the production of fissile material, and an issue called "nuclear disarmament", by which its proponents seemed to mean nuclear arms reductions only by the five nuclear-weapon States, but under the supervision of all members of the CD. Various CD members stated a rationale for such linkage; the motives of some were unstated.

The linkage-meisters chose to ignore the specific, concrete aspects of the traditional terminology, and began saying that CTBT and "fizz cut-off" no longer qualified as nuclear disarmament measures. In any case, fissile material cut-off negotiations were stymied, even though the CD had already established for this purpose an ad hoc committee and adopted an appropriate mandate. These negotiations remain blocked to this day. Indeed, it is fashionable this year in the CD to obscure the fact that the Conference agreed in 1994 to negotiate "fizz cut-off" in 1995 but then reneged on its commitment. Those responsible for that reversal owe the rest of us an explanation for their escalated demands.

Also, notwithstanding the language in the NPT Review and Extension Conference "Principles and objectives" document, to the dismay of my Government and many others, the Non-Aligned Movement summit in Cartagena in October called on the Conference on Disarmament "to establish, on a priority basis, an ad hoc committee to commence negotiations early in 1996 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework". The overwhelming majority of the participants at the NAM summit were NPT adherents; a few were not. This Cartagena non-aligned concept was then included in a United Nations General Assembly resolution which was "adopted" last December but with a large number of abstentions, and 39 "no" votes, including that of the United States.

Since the beginning of the 1996 Conference on Disarmament there have been several national statements calling for negotiations on nuclear disarmament in the CD. These individual statements, together with the G-21 collective statement delivered here by the Ambassador of Peru on 23 January, suggest that the CD has an obligation under the NPT "Principles and objectives" document to negotiate on nuclear arms reductions leading to the eventual elimination of nuclear weapons within a time-bound framework, according to the afore-mentioned non-consensus United Nations General Assembly resolution on this issue. The persistent repetition of this distortion does not, in fact, change the reality of what was actually agreed to in the NPT and the NPT review process, any more than persistent repetition of the desire of NPT parties for NPT universality could impose obligations on those few States which persist in their determination not to assume them.

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The idea of discussing nuclear disarmament and a programme of reduction and elimination of nuclear weapons in a time-bound framework raises several questions. What does "time-bound framework" mean? Dramatic reductions in nuclear weapons are taking place according to changed political circumstances and the driving force of specific State interests in lessening the nuclear weapons threat.

Let me quickly recount a number of nuclear disarmament examples, which, according to fashion, are conveniently overlooked in this forum: The SALT negotiations between the United States and the former Soviet Union in the 1970s attempted, with some success, to halt the arms race; the INF agreement with the former Soviet Union in the 1980s eliminated an entire class of nuclear weapons; the United States-Soviet threshold test-ban Treaty limited the yield of nuclear-test explosions; the recent unilateral assurances by nuclear-weapon States to non-nuclear-weapon States not to use or threaten to use nuclear weapons (United Nations Security Council resolution 984); the protocols to the Treaty of Tlatelolco, the Antarctic Treaty, and the announced intention by the United States and other nuclear-weapon States to sign this year the protocols to the South Pacific Nuclear Weapon Free Zone Treaty; United States unilateral measures in the early 1990s to remove thousands of warheads from aircraft and ships; United States and Russian detargeting of thousands of nuclear warheads; unilateral measures by several States to curtail fissile material production; the transfer by the United States of vast stockpiles of such materials irrevocably out of military programmes; and finally the START I and START II treaties. As a result of START I, the United States is removing from deployment thousands of nuclear warheads a year and will ultimately reduce its strategic forces by 9,000 warheads. START II will target another 3,000 warheads for reduction by each party.

How could we be sure that the instituting of a "time-bound framework", dictated by those who bring nothing but pieties and rhetoric to the dialogue, would not be an artificial mechanism affecting adversely the current trend I just described toward deep nuclear weapons reductions? Incidentally, there is also a practical and limiting reality: the maximum capability of the United States to destroy the thousands of nuclear warheads resulting from the START treaties is already totally saturated, and will be well into the twenty-first century. How would a "time-bound framework" apply to this process?

Another question is how negotiations leading to the elimination of nuclear arms in a "time-bound framework" would relate to the diverse situations of various States with varied nuclear holdings. As I have said, the Russian Federation and the United States are engaged in bilateral, and quite successful, efforts mutually to reduce their nuclear arsenals. Two other nuclear-weapon States, France and the United Kingdom, have undertaken a number of important unilateral nuclear disarmament steps. Unfortunately, the fifth nuclear-weapon State, China, continues nuclear-weapon testing and the build-up of its nuclear arsenal. Some say the stockpiles of the nuclear-weapon States with the largest holdings must first be brought down by almost an order of magnitude before they, with smaller holdings, could

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consider reductions themselves. In other words, the five declared nuclear-weapon States are obviously not all ready to respond now to the challenge of multilateral negotiations.

Thus, it seems logical to us that negotiations about reductions would in the natural course of events have to be among the five, initially. Of course, a later role for a larger forum, possibly the CD, could not be ruled out.

There is also the question of whether and how nuclear reductions "in a time-bound framework" would affect certain nuclear-capable or "threshold" States which, unlike NPT States, have no solemn treaty commitments - not even regarding the existence and continuation of their nuclear-weapon programmes, much less in regard to nuclear reductions and non-proliferation. How would this body deal with this ambiguous and tricky issue?

Mr. President, as I told you in our bilateral meeting, I think we have a problem in terminology. My delegation thinks the CD has been doing little else but nuclear disarmament since we completed the chemical weapons Convention in 1992. CTBT and "fizz cut-off" are the first two concrete steps. When those tasks are accomplished and other conditions are propitious, we must ask ourselves: What is the best place to discuss those aspects of nuclear disarmament that will begin to address weapon reductions on a multilateral basis?

We can foresee advantages and disadvantages to possible future use of the CD for negotiations on nuclear disarmament. One question which immediately arises and which we believe would have to be overcome is this: How would we go forward on this important issue in the CD - a body which operates by consensus - when a few of its important members not only are free to manufacture or otherwise acquire nuclear weapons, but do not even have the NPT commitment "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control"?

Happily, negotiations on a CTBT have been progressing and the CD has made notable progress. As the Director of the United States Arms Control and Disarmament Agency, Mr. John Holum, pointed out at this year's inaugural CD plenary, the CTBT is both a disarmament and non-proliferation measure. However, recently the ghost of nuclear disarmament linkage has been evoked in connection with CTBT negotiations and threatens to impede progress. Mr. Holum warned that the threat of linking the CTBT to a time-bound framework for the elimination of nuclear weapons wears a benign face and masquerades as deep devotion to arms control. He added that holding one important goal hostage to another is a sure way to fail at both.

Nuclear disarmament - together with non-proliferation issues - will certainly be discussed at the NPT review conference in 1997 by the vast majority of States who are parties to the Treaty. By that time, we hope that CD participants will be able to report the completion not only of a CTBT but

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also of a convention on the cut-off of production of fissile material, the two goals agreed for the CD by the NPT Review and Extension Conference. The United States will also be prepared to report on and discuss its performance, under the Review and Extension Conference mandate, to pursue as a nuclear-weapon State systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons. All NPT parties will have the opportunity to report on their efforts to pursue general and complete disarmament under strict and effective international control.

As I told you privately, Mr. President, the United States will be prepared to play an active and constructive role in discussions and negotiations on nuclear disarmament wherever they are agreed to take place. We are willing to talk - without preconditional structures and frameworks - about the common zeal to make progress toward this shared goal. The United States has made great progress in this field in the recent past, and my Government is convinced and determined that we will continue to do so in the future.

We all agree that completion of a comprehensive nuclear-test-ban treaty will be a critical move toward the objective of nuclear disarmament. Completion soon thereafter of a ban on the production of fissile material for weapons purposes would be another such important contribution. Let us get on with these tasks now while the window of political opportunity to accomplish them is open. The United States will be right there when all the nations of the world with nuclear-weapon stockpiles and programmes are ready to sit down and negotiate reductions, not on the basis of "Let's just talk about what you should do", but on the basis of "What's mine is also negotiable".

The PRESIDENT: I thank the representative of the United States of America for his statement. I now give the floor to the representative of Nigeria, Ambassador Abuah.

Mr. ABUAH (Nigeria): Mr. President, please accept my warm congratulations for your successful conduct of the affairs of the Conference on Disarmament so far. Your diplomatic skills and untiring efforts contributed to the smooth commencement of the Conference on Disarmament in this challenging year. Equally deserving tribute is your predecessor, Ambassador Benjelloun-Touimi of Morocco. Ambassador Benjelloun's untiring efforts and seemingly endless hours of consultations contributed, in no small measure, to the ease with which the Conference started its work this year.

I thank you and all our colleagues who have welcomed me to this very important forum. I look forward to cooperating with you and other members of the Conference on Disarmament in advancing the cause of peace and international security.

1995 was, in many respects, an historic year for non-proliferation. It was the year in which the nuclear non-proliferation Treaty was made permanent; it was also the year in which African leaders endorsed the African

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Nuclear-Weapon-Free-Zone Treaty (Pelindaba Treaty). 1995 was also the year in which the Southeast Asia Nuclear Weapon-Free Zone treaty was signed. 1996 has a few noteworthy anniversaries. It marks the 50th anniversary of the General Assembly resolution which called for the elimination of nuclear weapons. That resolution was adopted unanimously. It has been an annual series ritual in the General Assembly of the United Nations and in many other international forums to repeat the call for the elimination of this horrendous and anti-civilization weapon. We could make 1996 memorable or ignominious for non-proliferation and nuclear disarmament by what we do with the comprehensive nuclear-test-ban treaty.

Since 1946, there have been over 2,000 nuclear tests carried out in the atmosphere, under water or underground. The latest such test was carried out not long ago against the spirit of our time and of current international opinion. We hope that the recent statement announcing the end to these tests will be strictly adhered to. After four decades of persistent calls and two years of serious negotiations, a comprehensive test-ban treaty appears within reach. But serious impediments remain. A major obstacle is the scope of the treaty. Nigeria, in the past, stated that the treaty should cover all nuclear tests in all environments. There should be no exception even for so-called subcritical tests. The scope should be truly comprehensive without leaving room for hydronuclear experiments that may be exploited for designing lightweight nuclear bombs.

A second major obstacle relates to verification, particularly on-site inspection (OSI). OSI is sensitive and contentious. A careful balance has to be struck between the need to monitor vigorously treaty implementation, which Nigeria supports, and intrusive on-site inspection that might go beyond monitoring compliance with the treaty. Nigeria believes OSI should be rare, least intrusive and timely. It should be triggered by data from the international monitoring system after appropriate opportunity must have been given for consultation and clarification. Early agreement on these vital issues is necessary if the treaty is to be concluded by "early 1996".

Besides the scope of the treaty and certain aspects of its verification mechanism, there are problems in many other areas. Issues such as funding, the composition of the Executive Council and entry into force would need early agreement also. Differences in these areas constitute over 1,300 brackets chaining the draft treaty. Given such a large number of brackets, the Conference needs the discipline, the hard work and, most important, the political will to bring the treaty into early fruition. The question is: are we genuinely committed to non-proliferation and nuclear disarmament to bring into existence a CTBT that can curb vertical as well as horizontal proliferation?

A CTBT that contains strong disarmament language will be a significant step towards establishing a nuclear disarmament regime. Such a regime can be achieved within the framework of a time-bound programme of nuclear disarmament. Nigeria had indeed advocated such a framework in the NPT Review and Extension Conference in April/May 1995. Nigeria believes that the

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Conference on Disarmament is uniquely placed to discuss such a programme of nuclear disarmament in the context of an ad hoc committee on nuclear disarmament which should be established early this year.

We are not unmindful of the thesis, hardly credible as there are empirical data to disprove it, that nuclear weapons provide stability and maintain peace. It has further been argued that the deterrence supposedly offered by nuclear weapons has prevented wars and, that, consequently, a world without nuclear weapons would indeed be an unstable and dangerous world. This is unfortunately a self-serving argument to justify the holding of nuclear weapons. Nuclear weapons have neither prevented wars nor have they guaranteed victory in wars involving nuclear-weapons States. Nuclear-weapon States have been directly involved in four conflicts in which they have not prevailed. With the permanence of the NPT, the end of the cold war and disarmament in the other areas of weapons of mass destruction, the time is ripe to begin discussing a programme for the elimination of nuclear weapons. We recognize that important bilateral steps have been taken by the Russian Federation and the United States of America through the Strategic Arms Reduction Talks process to reduce their nuclear warheads. The Nigerian Government had welcomed these steps and considered the actions as encouraging. But the pace of nuclear disarmament has to be accelerated and other nuclear-weapon States have to join the process. The end result of the process should be a universally negotiated treaty that will ban the production, stockpiling and use of nuclear weapons. Such a treaty will be the third leg, a sturdy leg at that, in the non-proliferation and elimination of nuclear weapons.

The Conference on Disarmament had only one item on its agenda in 1995, namely the nuclear test ban. 1996 should be a different year. We should, as stated earlier, summon the necessary political will to conclude the CTBT by the middle of the year so as to begin work on other important issues such as nuclear disarmament; security assurances for non-nuclear-weapon States; the cessation of the production of fissile materials for nuclear weapons or explosive devices, and the prevention of an arms race in outer space. At a minimum, ad hoc committees should be established or reestablished on these subjects as fitting each case. Failure to agree to the establishment of ad hoc committees on these subjects will stain the success that may arise from the conclusion of the CTBT this year.

The expansion issue should also be fully resolved. Those members admitted in principle through our decision of September 1995, contained in CD/1356, must be enabled to take their seats in the CD immediately.

The challenge before the Conference on Disarmament in 1996 is enormous. We need courage, transparency and flexibility to meet the challenge. The Conference can make the difference between security for a few nations and peoples and security for all humanity irrespective of nation, race and State

The PRESIDENT: I thank the representative of Nigeria for his statement and for the kind words addressed to the Chair. I should like now to give the floor to the representative of Indonesia, Ambassador Tarmidzi.

Mr. TARMIDZI (Indonesia): Mr. President, at the outset, please allow me to express the satisfaction of my delegation at seeing you, the representative of Myanmar, a country with which Indonesia historically enjoys warm and close relations, presiding over the Conference on Disarmament at the beginning of its 1996 session. It is widely recognized that the early stage of the Conference's annual session is always very difficult. But, knowing your personal qualities and with the able leadership which you have demonstrated in guiding us to the speedy re-establishment of the Ad Hoc Committee on a Nuclear Test Ban, I am fully confident that the question of establishing the other subsidiary bodies, especially the ad hoc committee on nuclear disarmament, will soon be resolved. To this end, my delegation pledges its full cooperation in helping you to discharge your demanding tasks. I should also like to use this occasion to thank your predecessor, Ambassador Benjelloun-Touimi of Morocco, for the excellent manner with which he conducted our previous work.

I am also pleased to welcome our newly arrived colleagues, the distinguished Ambassadors of Cuba, Kenya and Nigeria, representing countries with which Indonesia also enjoys outstanding relations. We trust that they will bring with them fresh ideas that will be most beneficial in revamping even further the work and productivity of the Conference on Disarmament.

Before addressing the ongoing negotiations on the comprehensive test-ban treaty (CTBT) let me first say a few words on nuclear disarmament. For decades, together with other peace-loving countries, Indonesia has been consistently pressing for the annihilation of nuclear weapons, taking into account the devastating effects they may cause to human beings and their living environment. Putting aside the historical background which triggered the Pacific War, Hiroshima and Nagasaki will continue to serve as a living testimony of the abhorrence of these weapons of mass destruction. Indeed, it is because of these chilling experiences that Indonesia is determined to help ensure the total elimination of nuclear weapons from the world's arsenal. It is also against this backdrop that my delegation sees the need to address urgently the issue of nuclear disarmament in the Conference on Disarmament, as clearly stipulated in the G-21's statement, delivered by the distinguished Ambassador Urrutia of Peru, Coordinator of the Group, during the first plenary session.

At regional level, together with the other ASEAN countries, Indonesia has been relentlessly working to make our region a nuclear-weapon-free zone. The conducive international political climate in this post-cold-war era has made our determination even stronger, and after going through intensive negotiations, the member countries of ASEAN - comprising Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore, Thailand and Viet Nam - and the other south-East Asian countries, namely the Kingdom of Cambodia, the Lao People's Democratic Republic and the Union of Myanmar, have been able to complete and sign the Treaty on the Southeast Asia Nuclear Weapon-Free Zone in Bangkok, Thailand, on 15 December 1995. In due course, my delegation will submit this Treaty as an official document of the Conference on Disarmament.

(Mr. Tarmidzi, Indonesia)

Permit me now to touch upon the most important task with which the Conference is confronted, namely that of negotiating and concluding the comprehensive test-ban treaty (CTBT). In this respect, let me start by saying that Indonesia is fully committed to the decision adopted by the States parties to the non-proliferation Treaty (NPT) during the 1995 NPT Review and Extension Conference which, inter alia, urges the States parties to conclude the treaty by no later than 1996. The agreement to conclude the CTBT in 1996 should not, however, compromise the true objective we are aiming for, which is a genuinely comprehensive test-ban treaty. In this context, and as my delegation has indicated on a number of occasions, I am happy to state that Indonesia can support the draft article on scope contained in working paper CD/NTB/WP.222, dated 9 March 1995, presented by Australia, which from the Indonesian perspective will ban all types of nuclear tests in all environments for all time.

Unlike those who perceive the CTBT as a mere non-proliferation measure, Indonesia has, from the very beginning, held the view - and will continue to do so - that this treaty should also function in such a way as to cap totally both the vertical and horizontal proliferation of nuclear weapons, as the first step towards their complete elimination from the world's arsenal. If the scope of the CTBT still allows the nuclear-weapons States to continue working on their nuclear-weapons programmes, for whatever purposes, this will merely create another non-proliferation regime, while totally contradicting the new realities of the post-cold-war era. It will once again perpetuate the divisions created by the NPT, which distinguishes between "the haves" and "the have-nots" among the States parties, the legacy of which has been preventing the Treaty from achieving its universality.

Hence, we should properly address this matter and avoid repeating the mistakes of the past, since declining to do so will, I am afraid, render it difficult to make the CTBT universal. In other words, this treaty should have a twofold objective: first, to prevent all States from proliferating nuclear weapons; and secondly, to deter the nuclear-weapons States and other States with a nuclear capability from producing or designing new nuclear weapons. It is our firm belief that only a true-zero-yield CTBT, which forswears all nuclear explosions, can make this possible and therefore it is the least that Indonesia can entertain.

In this context, it is encouraging to note that the United States Administration holds the same opinion, as President Clinton made clear in one part of his message to the Conference which was read by Mr. John D. Holum, Director of the United States Arms Control and Disarmament Agency: "A comprehensive test-ban treaty is vital to constrain both the spread and further development of nuclear weapons. And it will help fulfil our mutual pledges to renounce the nuclear arms race and move toward our ultimate goal of a world free of nuclear arms." My delegation sincerely hopes that the United States Administration will stand firm in its decision and match its international obligations by totally halting all activities which may run counter to this stated policy. We further hope that the remaining

(Mr. Tarmidzi, Indonesia)

nuclear-weapon States will uphold the same principle, thereby guaranteeing that the future CTBT is a genuine step towards the achievement of the total elimination of nuclear weapons.

Another important issue on which a complete meeting of minds of the participating States in the Conference on Disarmament needs to be achieved rather soon - in an attempt to accomplish the task within the agreed time-frame - is "on-site inspection" (OSI). We are somewhat concerned over the protracted debate on how to proceed with a request for an OSI launched by a State party. Being a country which does not possess nuclear weapons and harbours no ambitions to acquire or produce any, I wish to state that Indonesia is flexible as to whether or not such a request should follow the "red light" or "green light" procedure. From our viewpoint, there are two important points to be borne in mind as far as OSI is concerned. First, the CTBT organization should be able, in a timely fashion, to determine whether an ambiguous or suspicious event is in fact a nuclear explosion in violation of the object and purpose of the treaty. Secondly, an OSI should be based on sufficient technical data gathered by the international monitoring system (IMS) to prevent a State party from instigating a baseless or abusive request for an OSI. In view of the likely political costs to the country concerned, the procedures which an OSI request should follow must be designed in such a way as to thwart any attempt by a State party to the future CTBT to launch an abusive request for an OSI. In this regard, I am gratified to learn that all participating States in the Conference on Disarmament have tentatively agreed that such an act is punishable under the treaty, an idea which was first brought to the attention of the Conference by my own delegation.

In our opinion, the funding of the IMS is another critical point that has to be addressed thoroughly. For without an adequate network of monitoring stations, the CTBT will not be able to verify the implementation of the treaty to the maximum possible extent. In this regard, my delegation commends the report of the Expert Group on IMS, as contained in document CD/NTB/WP.283, in which it has recently been able to identify and recommend lists of auxiliary seismic stations, hydroacoustic stations, infrasound stations and radionuclide stations to be included in the IMS, thus complementing the primary stations listed in the rolling text.

Unfortunately, Indonesia has not been able to participate in the work of this Expert Group which was held last December. However, we have made a preliminary study of the report and sent it to our authorities in the capital for further examination. At this point in time, I wish to underline the conclusion of the Expert Group that participation in the IMS is dependent upon the willingness of the host country. From our perspective, in order to encourage the participation of all States, we must devise a system in the treaty which will guarantee the widest participation in the network of monitoring stations, such as, for example, agreeing to the principle that the CTBT organization should at least pay for the establishment of new stations and upgrade the existing ones to match the technical requirements as specified in the treaty. Penalizing the host countries, especially those from

(Mr. Tarmidzi, Indonesia)

developing countries, simply for their strategic geographical locations will be incomprehensible and could undermine the effectiveness of the CTBT when it enters into force.

Allow me also to touch briefly upon an issue which has been on our agenda for years and to which an urgent solution needs to be found, namely, the expansion of the Conference membership. My delegation is very disappointed that the decision adopted by the Conference - thanks to the tireless efforts of Ambassador Benjelloun-Touimi - to expand the membership of the Conference to allow another 23 countries to participate as full members cannot be implemented for reasons which we fail to understand. Despite the tremendous efforts made to finalize the decision, in practical terms, no breakthrough has really been achieved and we are still not far enough from the solution offered by Ambassador O'Sullivan of Australia back in 1993.

In an attempt to overcome the impasse, let me now humbly propose to this august body to take the decision, during this plenary session, to admit all members of the Group of 23 as full members of the Conference on Disarmament and, at a later stage, to reconsider the possibility of admitting the other States who aspire to membership of the Conference. As to the proposed criteria, or any other criteria, to be considered in order to allow countries to participate in the Conference as full members, my delegation would venture to suggest that they should be discussed within the framework of refining the rules of procedure of the Conference. In any case, the Conference's rules of procedure need to be refined in order to meet the new realities of the post-cold-war era.

Taking into account the fact that we have already determined to make 1996 the year of CTBT, let me conclude my statement by appealing strongly to all States participating in the negotiations of the Conference on Disarmament to redouble their efforts and to demonstrate their political will to conclude the CTBT within the agreed time-frame. In this ever-changing world, we cannot afford not to make the best of the prevailing momentum and seize the existing golden opportunity offered to us of concluding this treaty. For, failing to achieve such an objective could dampen the will of the global community to get rid of nuclear testing as a first step towards the total elimination of nuclear weapons, under strict and effective international control, to which we have been aspiring for decades.

The PRESIDENT: I thank the representative of Indonesia for his statement and for the very kind words addressed to the Chair. Distinguished delegates, I would like to invite your attention to the proposal just made by the representative of the Republic of Indonesia, Ambassador Tarmidzi, which has been circulated to you. Specifically, I refer to the last paragraph in which he mentions that:

> "In an attempt to overcome the impasse, let me now humbly propose to this august body to take the decision, during this plenary session, to admit all members of the Group of 23 as full members of the Conference on Disarmament and, at a later stage, to reconsider the possibility of admitting the other States who aspire to membership of the Conference.

(The President)

> As to the proposed criteria, or any other criteria, to be considered in order to allow countries to participate in the Conference as full members, my delegation would venture to suggest that they should be discussed within the framework of refining the rules of procedure of the Conference. In any case, the Conference's rules of procedure need to be refined in order to meet the new realities of the post-cold-war era."

I would also like to invite the attention of the Conference to the rules of procedure that we have for the CD and, specifically, to Section VIII, "Agenda and programme of work", paragraph 30. And for those who do not have the rules of procedure readily before them, I shall read out paragraph 30 for you.

> "The subject of statements made in plenary meetings will normally correspond to the topic then under discussion in accordance with the agreed programme of work. However, it is the right of any member State of the Conference to raise any subject relevant to the work of the Conference at a plenary meeting and to have full opportunity of presenting its views on any subject which it may consider to merit attention."

To guide us further in our deliberations, we have several documents before us already on this particular topic of expansion and, specifically again, I invite the attention of the Conference to document No. CD/1362 of 22 September 1995, submitted by the delegation of the United States of America. We also have before us document CD/1356 of 21 September 1995, and that is the decision on expansion of membership of the Conference, which was adopted at the 719th plenary meeting on 21 September 1995.

And lastly, we have CD/1379 of 23 January 1996, and that is concerning the agenda for the 1996 session, which was adopted at the 721st plenary meeting on 23 January 1996, which mentions inter alia that the Conference in accordance with its decision on expansion of membership contained in document CD/1356 will keep the early implementation of that decision under constant review.

Having said this, I would like to now open the floor for deliberation on the specific proposal for expansion as contained in the statement just made by Ambassador Tarmidzi. I have already on my list of speakers for this topic several delegations, and I shall now give the floor to the first delegation, the representative of Finland.

Mr. EKBLOM (Finland): Mr. President, since this is the first time I attend the plenary under your guidance, I wish to start by congratulating you on your assumption of the presidency of the Conference.

I should like to comment on the statement made just now by Ambassador Tarmidzi, the Permanent Representative of Indonesia, or, rather, the last part of the statement that dealt with the expansion of the Conference membership. This is an urgent issue. We welcome the support of Indonesia, as

(Mr. Ekblom, Finland)

also Algeria and Nigeria, for trying to find an immediate solution that would allow for the implementation of paragraph 2 of decision CD/1356 taken by the Conference on 21 September 1995.

Our understanding is that the September decision did not establish separate categories of membership. Once the September decision is implemented, the membership would be the same for all. We agree with Ambassador Tarmidzi that any overall criteria regarding the right of participation in the decision-making of the Conference would have to be agreed upon within the framework of the review of the rules of procedure of the Conference. The question, then is: Is it possible within this framework to address the one single problem in such a way that a consensus on the implementation of paragraph 2 of decision CD/1356 would be possible? We believe that it is possible if there is the will to do it and if everyone - the 37 members as well as the 23 incoming members - are ready to show flexibility.

Since last September, we have heard various alternatives mentioned as possible approaches to moving forward. These include at least the following:

First, a solution of the type proposed by the United States of America in CD/1362 which would effectively mean that one country, while assuming membership together with others, could not exercise the right of denying consensus on any decision.

Second, a clean decision on the implementation of the September decision, perhaps with accompanying national statements related to concerns of individual countries.

Third, a clean decision on the implementation of the September decision with an accompanying statement by the President, recognizing the fact that there is a unique problem that needs to be addressed but without, in that context, restricting the right to participate in decision-making.

Fourth, a unilateral declaration by one country among the 23 incoming members confirming that it would not for the time being exercise the right of denying alone consensus on any CD decision. Such a declaration could be duly registered by the Conference in the context of taking the decision on the implementation of the expansion.

Fifth, a declaration by all the 23 countries to the effect that none of them would, alone, deny consensus on any CD decision. This type of declaration could also be duly registered by the Conference, without affecting the rules of procedure of the Conference or the future review of them.

We believe that one or several of such approaches should be explored and it should happen now. As agreed last September, the President of the Conference is expected to report on progress in this matter at the end of this ongoing first round of the 1996 session. We believe that, at this stage, the expansion issue should be taken up under the leadership of the President of the Conference, in the first instance under your leadership, Mr. President.

(Mr. Ekblom, Finland)

We support the proposal to address the question today, or if this is not possible, within the next few days. If necessary, an informal plenary could be organized to address this issue.

The PRESIDENT: I thank the representative of Finland for his statement and for his kind words addressed to me. I shall now give the floor to the representative of Chile.

Mr. BERGUÑO (Chile) (translated from Spanish): In keeping with your invitation and your very precise stipulations, Mr. President, I wish to endorse the very timely statement made by my distinguished friend Ambassador Tarmidzi of Indonesia concerning the need to implement decision CD/1356 promptly, the reform of the rules of procedure and your appeal to complete within the allotted time the negotiations on the comprehensive nuclear-test-ban treaty, which has been the subject of further far-reaching discussion. I would also like to thank the Ambassadors of Algeria and Nigeria for their support for expansion. The three issues are closely interconnected and the annual resolutions of the General Assembly have placed emphasis on more representative participation in the negotiation of the aforementioned convention and other agreements that require universal accession. Concerning expansion, there is a fundamental need for consistency which takes the form of setting the admission of the new members in the two phases proposed by the Ambassador of Indonesia, and an absolute need to have political will on the part of all those involved. Like the representative of Finland, I think that the solution is within our reach in the framework of a list of possibilities that could be explored, as he pointed out, in a special informal plenary.

Our rules of procedure were adopted in the light of the Final Document of the first special session of the United Nations General Assembly, and it was an agreement that arose out of the consultations which were held on that occasion and which the General Assembly endorsed in its Final Document. The time has come to reflect more appropriately, in full harmony with the recommendations of the General Assembly, the new state of affairs in world disarmament. It is necessary to highlight even further the function of the Conference on Disarmament as the sole global multilateral negotiating forum, and to delete, for instance, the archaic reference to the nuclear-weapon States. Without affecting the golden rule of consensus in the slightest, the thresholds of participation by member and non-member States could be formulated in more practical terms, having in view in particular the widest possible support for the negotiations on the CTBT. In your consultations, Mr. President, Ambassador Tarmidzi's statement should be given priority consideration, both in the arrangements for implementing decision CD/1356, in the procedure governing the subsequent phase of expansion and in the start of work on redrafting the rules of procedure, which should reflect the principle affirmed in paragraph 28 of the above-mentioned Final Document and the idea set forth in paragraph 120 and taken up in rule 2 of the rules of procedure of the Conference on Disarmament, which unfortunately have remained a dead letter for so many years.

The PRESIDENT: I thank the representative of Chile for his statement. I shall now give the floor to the representative of New Zealand.

Mr. ARMSTRONG (New Zealand): Mr. President, since it's the first time I'm speaking here this year, may I first congratulate you warmly on your assumption of the presidency and offer you the full cooperation of my delegation? May I also congratulate your predecessor, Ambassador Benjelloun-Touimi of Morocco, for his most active and constructive work as President?

I too am taking the floor to congratulate my friend, Ambassador Agus Tarmidzi, for his comprehensive statement and, in particular, to offer New Zealand's support for his proposal to resolve the expansion question. That question has also been referred to this morning by the Ambassadors of Algeria and Nigeria, whom I thank for their statements of support.

Indonesia's proposal has the merit of addressing the three principal aspects to this question. First, there is the need to bring about now the implementation of CD decision CD/1356 as a matter of urgency, as called for by the General Assembly. Secondly, there is the question of the nature of participation in the Conference by full members in light of the proposal put to the Conference at the same time as the adoption of CD/1356. And thirdly, there is the question of future expansions and the aspirations of countries beyond the G-23 to participate in the Conference's work.

Ambassador Tarmidzi has proposed that the questions of participation and of future expansions beyond CD/1356 be considered in an exercise to review the existing rules of procedure. There is no doubt in New Zealand's mind that the rules of procedure must help, and must not hinder, the Conference to achieve its objectives on behalf of the international community. Accordingly, we would be willing to contribute to such a review with the aim of achieving a more representative membership and of consolidating the CD's status as the international community's sole forum for the negotiation of disarmament and arms control treaties. We would therefore like to encourage you, Mr. President, and members of the Conference to take full account of, and to give support to, the Indonesian proposal.

The PRESIDENT: I thank the representative of New Zealand for his statement and for the kind words addressed to the Chair. I shall now give the floor to the representative of the United States of America.

Mr. LEDOGAR (United States of America): The United States fully sympathizes with the motivation behind Ambassador Tarmidzi's initiative as regards membership expansion and, indeed, he may be on to something. However, I would like to call attention to the fact that the United States made a proposal on 22 September which was referred to earlier, CD/1362, about this subject. It was under the presidency of your predecessor, Mr. President, Ambassador Benjelloun-Touimi, and he said at that time, as I recall, that he would postpone action on it until he had a sense that it had a pretty good chance of moving forward. I'm afraid I would have to ask that before we return to Ambassador Tarmidzi's proposal, mine would have to be addressed. I have the sense that it might just work. But if not, and getting back to the Indonesian initiative, I would like to recall that the previous year we made

(Mr. Ledogar, United States)

another proposal that, as Ambassador Tarmidzi points out, would accomplish the objective, namely, modification of the rules of procedure. Now you could take rule No. 3, which, for those of you who don't have the rules in front of you, reads: "All member States of the Conference shall take part in its work in conditions of full equality as independent States, in accordance with the principles of sovereign equality enshrined in the Charter of the United Nations", and make an amendment to that. Or you could take rule No. 18, which states: "The Conference shall conduct its work and adopt its decisions by consensus." Either one could be slightly modified to put into it the thought that is in the United States proposal in CD/1362, namely, to make the exception that no State which is subject to comprehensive enforcement measures taken by the Security Council under Chapter VII of the Charter would have the right to deny consensus on any decision to be adopted by the Conference. Now, I have exact language for modification to rule 3. Also exact language for modification to rule 18. Either one would work. But those would have to be adopted before we could have consensus on the simple proposition of the second decision in CD/1356.

The PRESIDENT: I thank the representative of the United States of America for his statement. I would now have to say that the Conference, I believe, is not in a position as yet, at this moment, to discuss further on the rules of procedure. As for the proposal made by the representative of the United States of America regarding the document that he and I read out (CD/1362 of 22 September 1995), are there any delegations who wish to take the floor on this specific document? Morocco, you have the floor, Sir.

Mr. BENJELLOUN-TOUIMI (Morocco) (translated from French): I would like to say a few words concerning the question of expansion of the membership of the Conference. At the inaugural meeting I had an opportunity to say a little of what I thought concerning the substance of the issue, and consequently I shall not repeat myself. I merely wish to note that we discussed this matter yesterday in the Presidential consultations, and my feeling was that we should not create bad precedents and raise matters in plenary without preparation, because this could lead to deadlock much more than progress, and I must tell you in all honesty, this question was raised in the Presidential consultations which you organized yesterday, Sir, and in which I had the honour of participating, and I believe, and I must be candid with you, as I always am with this Conference, that it was not useful to raise this question, because we knew the response was not positive. Frankly, I ask myself: who are we trying to fool - ourselves? It is not useful to raise these issues when we know the response beforehand. A good negotiator is one who knows in advance the result he wishes to achieve. Today, the response was certain to be negative. I would like to thank all those who participated in this discussion for their constructive spirit and sense of compromise, because this is a difficult issue and we are all here in order to try to resolve it. I believe that in the future we should confine ourselves to our discussions in order to try to resolve this issue, like all other issues, and not try to pull stunts, because that is not the objective we are seeking. I am sorry to say this. Naturally I am in favour of expansion; I have already said that I wish to work on this issue as head of my delegation, so that the decision we took last

(Mr. Benjelloun-Touimi, Morocco)

September can be implemented as soon as possible, today or next week, but I do not think this type of exercise will take us forward on this issue.

The PRESIDENT: I thank Ambassador Benjelloun-Touimi of Morocco for his very helpful statement and I trust that the statement will be taken seriously by all of us in the CD. But I would hasten to add that during the Presidential consultations yesterday afternoon, this matter did not come up and it arrived at a rather late hour. That is why it was not possible for me to mention this at the Presidential consultations. Having said that, I have two more speakers on my list. I should now like to give the floor to the first speaker, the representative of Ukraine.

Mr. SLIPCHENKO (Ukraine) (translated from Russian): Mr. President, since I too am speaking for the first time at this session, I should like to congratulate you on your appointment, to wish you every success and in particular to note your great personal contribution at the very beginning of the session, which enabled us to make a small, symbolic, but nevertheless concrete step in the proper direction in connection with the problem of expanding the Conference's membership. At the same time it is obvious that in order to ensure full implementation of decision 1356 adopted by the Conference at its last session, there is a need for additional, significantly more serious efforts, and especially genuine political will on the part of all member States of the Conference on Disarmament, particularly as we are entering the concluding stage on the nuclear-test-ban treaty, which is to be universal in nature and universally applicable. In this connection I support the proposal made by the distinguished representative of Indonesia and a number of other delegations. Our delegation is prepared to work towards its early implementation, taking into account, of course, all the proposals made to date on this matter, inter alia through the convening of a special plenary meeting at the appropriate time. I would simply like to stress that to ensure the success of this work the main requirement is constructive participation in this activity by all States concerned, and I hope that everyone in this room is really interested in a successful solution to this problem. It is also important that this solution should be found urgently before the end of the first stage of the 1996 session of the Conference on Disarmament.

In conclusion, I would like to echo other colleagues in stressing the urgency of settling this question and the importance of a positive solution of the matter for the whole of the future work of the Conference and its successful outcome.

The PRESIDENT: I thank the representative of Ukraine for his statement and I shall now give the floor to the last speaker on this issue, the representative of Cuba.

Mr. CABALLERO (Cuba) (translated from Spanish): We will leave the customary words of welcome and gratitude for our main statement in plenary. We wish to be very specific. My delegation wishes to reiterate that Cuba is among those countries which would like the decision to be taken today, as proposed by our colleague from Indonesia, for the entry of the Group of 23 into the Conference. We fully understand what our colleague from Morocco

(Mr. Caballero, Cuba)

has just stated about the process that we should follow to ensure that the consultations can be brought before the Conference with at least a certain degree of assurance of adoption by consensus. However, we think that the proposal brought to us this morning by our colleague from Indonesia, which unfortunately was unable to produce the desired results, that is to say the approval today, without any type of restriction, of the entry of the Group of 23 into this Conference, at least has a merit which is extremely important for my delegation and this merit is that, before a plenary meeting of the Conference, we have heard yet again where the difficulties lie and who is responsible for the fact that this matter is not culminating in the solution that we all wish for, and I think all this is most appropriate, because in recent days rumours have been circulating which even held the Group of 21 responsible for the fact that at this stage it has not been possible to take the decision.

The PRESIDENT: I thank the representative of Cuba for his statement and, as I have mentioned, that was the last speaker, but I shall make one exception, and this will be the last speaker. I give the floor to the representative of the Republic of Korea.

Mr. HWANG (Republic of Korea): I will be very brief. My delegation wholeheartedly supports what the Indonesian Ambassador suggested on the question of CD membership. My delegation, on several occasions, expressed our opinion on the necessity of expansion of the CD but at this time it is not necessary to repeat it. My delegation is also thankful to the Algerian and Nigerian Ambassadors for expressing their deep concern on the same issue. My delegation sincerely hopes that this question can be solved with a spirit of compromise among CD member States.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement. Before giving the floor to the representative of Egypt, I shall look around this room and see if there are any other speakers who wish to take the floor. Mexico shall be the very last speaker - and this is a ruling by the President. I now give the floor to the representative of Egypt.

Mr. ZAHRAN (Egypt) (translated from Arabic): In fact the Egyptian delegation was surprised that this question has been raised during this meeting. Normally there is enough transparency in the work of the Conference on Disarmament to enable us to know in advance what is going to be considered. However, the matter that was raised by the Permanent Representative of Indonesia, Ambassador Tarmidzi, is not a new one and our position is quite clear. We have clarified our position several times, most recently on 21 September 1995, when the Conference adopted the resolution contained in document CD/1356, when we said that we supported the immediate admission of the 23 States on the O'Sullivan list, without conditions and on a footing of equality. Let me now just reiterate that position once again. As regards the decision that was made, we agreed with it at the time in order not to go against the consensus. The position of the Egyptian delegation, as it has repeatedly stated, is for the immediate admission of the 23 States without conditions and on a footing of equality. If what is now being proposed is an amendment to one of the rules of procedure, that is a new matter and we shall

(Mr. Zahran, Egypt)

therefore have to have consultations to see how that provision should be amended and how we can reach a consensus on an agreed wording before this matter is raised in a plenary meeting.

The PRESIDENT: I thank the representative of Egypt for his statement and for reiterating what I had just mentioned, that the time is not opportune for us to talk about any amendments to the rules of procedure. Having said that, I shall give the floor to the very last speaker, the representative of Mexico, and I shall accept no other speakers after the representative of Mexico. You have the floor, Sir.

Mr. de ICAZA (Mexico) (translated from Spanish): Thank you, Mr. President, for giving me the dubious honour of being the last to speak in this debate, and I would like to take this opportunity to thank you also for the efforts you have been making very successfully, because since the beginning of your term, the beginning of this session, we have succeeded in getting work on the CTBT under way. It is true that three weeks have passed, and at this stage it would seem that in these three weeks the only thing we have achieved is to increase the number of brackets in the rolling text, but I hope that matters will improve, especially if we are not distracted by other issues which, while no less important, are perhaps not as well-timed as one might wish.

I should like to thank the Permanent Representative of Indonesia for the proposed decision which he tabled today, and to announce that my delegation is fully prepared to agree to our adopting this decision, and we will have no problem in accepting it in the terms set out by the representative of Indonesia. My country supports the immediate implementation of decision CD/1356 of 21 September 1995. As for the proposal that the rules of procedure should be revised, my delegation has no objection, on the understanding that we will insist, as we have always done, that all rules should be general in nature, applicable to all, and not ad hominem provisions which are not general in nature and can have no legal value.

The PRESIDENT: I thank the representative of Mexico for his statement. I shall now sum up and conclude.

Among us seated in this room there is no other person who would like to have a decision on the matter of expansion more than the President because, as of now, this heavy responsibility falls on my shoulders. But we have to go according to the guidance, the decisions that we had taken earlier on this matter, the deliberations that we had intensively conducted over the months on this issue. We spoke so much about the rules of procedure, and I would like to point out once more that in the rules of procedure we have section VI, "Conduct of work and adoption of decisions". I shall quote paragraph 18: "The Conference shall conduct its work and adopt its decisions by consensus." It is amply clear to all of us gathered here, from the deliberations we have had today on the specific issue of expansion, that the matter as yet, at this particular stage, does not enjoy consensus, and hence I shall not be able to make a ruling on this, other than to say that I shall continue my intensive

(The President)

consultations on the matter of expansion, among others, and I shall make a report to the next plenary, the last under my presidency. Having said that, I close the deliberations on this particular item.

My list of speakers for today is exhausted. Does any other delegation wish to take the floor at this stage, on any issue other than expansion? The representative of China has asked for the floor. You have the floor, Sir.

Mr. SHA (China) (translated from Chinese): In accordance with your ruling, I will not mention the question of expansion.

The distinguished Ambassador of the United States mentioned just now the issue of China's nuclear testing. As I said some time ago, had it been the non-nuclear-weapon States expressing their concern over China's nuclear testing, it would have been understandable. The case, however, is different for the United States. As is known to all, it is the United States that possesses today the largest and the most advanced nuclear arsenal in the world. It is the United States that will still possess the largest and the most advanced nuclear arsenal even after its implementation of the START II treaty in 2003. And it is the United States that for all the past decades has stuck to its policy of nuclear deterrence based on its first use of nuclear weapons against any other country. Owing to these reasons, the United States is not qualified to point its finger at China's extremely limited number of nuclear tests. Let us recap briefly the past history. The international community has long demanded the cessation of all nuclear tests since the 1950s. To achieve this objective, numerous resolutions have been adopted by the United Nations General Assembly. Why then was the Conference on Disarmament able to establish the nuclear test ban Ad Hoc Committee and start negotiations on the CTBT only a little more than two years ago? How many nuclear tests were conducted by the United States during these decades? For all these years, whenever the United States chose to test, it would not allow test-ban negotiations. And now, when the negotiations have started, the United States is demanding that all other countries should follow the American approach and timetable and is making irresponsible comments on the extremely limited number of nuclear tests of others. What kind of logic is this!

I wish to reiterate here today that the completion of the CTBT as soon as possible and not later than 1996 has always been a goal which the Chinese delegation has striven for. Naturally, the Chinese delegation wishes to speed up the negotiations. At the same time, the Chinese delegation also wishes to conclude a good CTBT that is acceptable to all parties so as to achieve the early entry into force of the treaty. Proceeding from this position, the Chinese delegation has all along objected to the opportunist attitude of political expediency toward the CTBT negotiations and has opposed the imposition of certain domestic political factors of a few countries onto the multilateral treaty negotiations. I must state once again that China has conducted only a limited number of nuclear tests and has exercised utmost restraint on nuclear testing. China has never intended to continue nuclear testing indefinitely, nor will it do so. Once the CTBT enters into force, China will cease all nuclear testing.

The PRESIDENT: I thank the representative of the People's Republic of China for his statement. Does any other delegation wish to take the floor at this stage? This is not the case, so I shall proceed further.

I should now like to take up the new requests for participation in the work of the Conference during this year. Requests were received from Gabon and the United Arab Emirates. They are before you under a covering note by the President in document CD/WP.472. May I take it that the Conference decides to invite Gabon and the United Arab Emirates to participate as non-members in the work of the Conference, without having to convene an informal meeting for this purpose, on the understanding that this would not constitute a precedent for future similar requests?

It was so decided.

The PRESIDENT: As you are aware, intensive consultations are still under way, both at the bilateral and group levels, with a view to developing a basis for consensus on how to deal with the issue of nuclear disarmament in the Conference, as well as on the implementation of the decision taken by the Conference last September (CD/1356) on expansion of membership. These consultations will continue, and it is my intention to present a report on their outcome at the next plenary meeting which, as I have said, will be the last under my presidency.

The secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, only indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference will be held on Thursday, 15 February 1996 at 10 a.m.

The meeting rose at 12.25 p.m.

CONFERENCE ON DISARMAMENT

CD/PV.725
15 February 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND TWENTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 15 February 1996, at 10 a.m.

President: U Aye (Myanmar)

GE.96-60617 (E)

The PRESIDENT: I declare open the 725th plenary meeting of the Conference on Disarmament. I have on my list of speakers for today the representatives of India, Germany, Ukraine and Belgium. Before giving the floor to those inscribed to speak today, I should like, on behalf of the Conference, and on my own behalf, to extend a warm welcome to the Federal Government Commissioner for Disarmament and Arms Control of Germany, His Excellency Ambassador Rudiger Hartmann, who will be addressing the Conference for the first time. I should like to thank Ambassador Hartmann for the interest he attaches to our work and wish him a fruitful stay in Geneva. I am sure that the Conference will listen to his statement with keen interest. I now give the floor to the first speaker on my list, the representative of India, Ambassador Ghose.

Mrs. GHOSE (India): Last month, on 25 January, India had joined other G-21 members of the CD in calling for the immediate establishment of an ad hoc committee on nuclear disarmament, as directed by our heads of State and government at the Non-Aligned summit in Cartagena last year. I had expressed the sincere hope that you, Mr. President, would undertake serious and intensive consultations on this issue over the next few weeks so that a satisfactory agreement could be reached at an early date. We were seeking accommodation and cooperation and not confrontation. Our intention was to engage other delegations in looking for ways in which to start early this year negotiations on a time-bound programme for the elimination of nuclear weapons. We understand that no agreement on this important issue has been achieved. This is not only a matter of deep regret but of dismay. You might recall that I had said that agreement on this issue made 1996 a year critical to the CD and to the future of all disarmament negotiations and that it was in this context that we, India, envisioned the future negotiations on a CTBT.

While thanking you for your sincere efforts to achieve a consensus, we cannot but regret that despite your best efforts, we seem to have failed to agree on a mechanism to discuss nuclear disarmament in the CD, due to a lack of flexibility on the part of a few delegations who are obviously creating obstacles on the road to the fulfilment of those objectives to which they say they are committed. As I had said earlier, this unwillingness cannot but affect our positions on the CTBT negotiations, a development we had felt was avoidable.

In addition, some recent statements on the CTBT have tended to deliberately obfuscate some fundamental and well-known concepts and questions have been raised about the seriousness of delegations including perhaps my own in trying to relocate the CTBT in its originally envisaged context. Let me give some examples which I feel require both clarification and correction. Firstly, there appears to be a pronounced tendency to believe that life in the CD began with the indefinite extension of the NPT in May 1995. Consequently it is projected that all mandates and commitments must flow from the NPT Conference. It would serve us well to keep in mind that the Conference draws its mandate from the consensus forged in SSOD-I and the "Decalogue" that followed. It was at SSOD-I, and not at the NPT Review and Extension Conference, that the need for a single multilateral negotiating forum for disarmament was agreed upon and put into effect. It was also there that the highest priority in disarmament was accorded to nuclear issues and the

(Mrs. Ghose, India)

ultimate goal of the elimination of all nuclear weapons was recognized as essential. It is misleading to suggest that the commitment to eliminate nuclear weapons is solely a part of an NPT bargain. The Conference on Disarmament did not begin negotiations on the CTBT after the NPT Review and Extension Conference. The negotiations started in January 1994, a year and half before the NPT Conference, following consensus resolution 48/70 at the United Nations General Assembly in 1993 which enjoyed the support of the entire international community, something which, I may add, the NPT does not. There is a danger in placing the CTBT negotiations and indeed the entire agenda of the Conference in the context of the NPT. I would not, at this stage, like to dwell further on the possible implications of such an approach.

Secondly, questions have been raised about the concept of a "time-bound framework" for the elimination of nuclear weapons. It has been, unbelievably, characterized as a strategy of failure, a threat to disarmament, as something which overturns arms control efforts. The logic behind such characterization, if any, appears to me to be perverse. As far back as SSOD-I, there was a reference to time-frames for negotiations. The very agreements of arms control which have been reiterated in this chamber and cited as examples of nuclear disarmament - the INF Treaty and the START I and START II treaties - have inherent time-frames. They are expected to attain certain targets within given-time periods. Similarly, we believe, logically, that the eventual elimination of all nuclear weapons also needs to be carried out within a finite period if it is to be indeed a sincere commitment and not just rhetoric.

Just to say that this is not India's position alone, I have just this morning come across a communication in which I was informed that an organization, albeit a non-governmental organization, called "International Physicians for the Prevention of Nuclear War", which has 84 national medical associations, representing over 200,000 members, had in February 1995 issued a written call for the abolition of nuclear weapons to be signed by physicians and supporters worldwide. The call demands that Governments, especially those of nuclear-weapon States, enter immediately into negotiations to eradicate nuclear weapons under a firm timetable. The call was disseminated throughout the federation and sparked a tremendous response, and I am quoting from this, from Australia to Zambia. The call was endorsed by thousands of physicians, medical students and other supporters. This particular thing is only to illustrate that it is not just India who is calling for negotiations on the elimination of nuclear weapons within a time-frame.

The CTBT, if it is indeed an integral step, as this is affirmed and reaffirmed - if it is indeed an integral step in the disarmament process and if it is truly to be comprehensive - will in fact freeze the nuclear status of all countries. I might add here, in response to a question about obligations to be undertaken by non-NPT States, that the legal obligations of the CTBT would, we expect, be binding on all States parties, including those who are not members of other agreements. This freeze, if it were to be an indefinite one, would extend the net of discrimination fashioned by the NPT in which some countries would have the ability to threaten the very existence of others with nuclear weapons for eternity. It is obvious that the only security that the other countries would have would be provided by a commitment that this freeze

(Mrs. Ghose, India)

is not forever, that this freeze is for a short and finite time period and will lead inevitably to the complete elimination of nuclear weapons. An open-ended commitment to eliminate nuclear weapons is an unsigned promissory note, useless against the threat of weapons which is a matter of national security for us and I expect also for others.

This leads me to the third misrepresentation which needs to be clarified today. It has been argued that the CD is not the appropriate forum for negotiations on nuclear disarmament since the process would involve bilateral trade-offs, specialized verification, et al. I do not recall ever having said at any stage that we would wish to be part of such bilateral or plurilateral trade-offs between the nuclear-weapons States. We cannot be part of the actual trade-offs since we have nothing to trade. What is it then that we wish to discuss in an ad hoc committee on nuclear disarmament in the CD? Our reasoning is as follows. We are not only involved but concerned because these weapons threaten all countries. Surely the members of the CD have the responsibility and the right to ensure that the pace of the nuclear disarmament process, once started, is maintained, and speeded up if possible and its extent deepened and widened! Steps would also have to be taken to ensure that, pending elimination of all nuclear weapons, an appropriate environment ensuring the security of all States is created. We see discussions in the ad hoc committee resulting in a series of treaties with time-frames for their negotiation. One such step could be - and this would not be a surprise to anybody in this hall - a convention prohibiting the use or threat of use of nuclear weapons. Such a convention would codify the legal norm against the use of nuclear weapons which already exists in the principles of international armed conflict. Clearly this does not involve the CD in bilateral trade-offs or a numbers game. Ultimately, however, a treaty for the banning and elimination of nuclear weapons has to be negotiated. These are tasks not for an esoteric club of vested interests but for the ad hoc committee on nuclear disarmament in the Conference on Disarmament.

As a relative newcomer to the CD, I feel every time I walk into this hall that it is a hall with trick mirrors in which nothing is what it seems to be. Those who want a truly comprehensive treaty are labelled spoilers. Those who want to eliminate nuclear weapons are being seen as a threat to disarmament. A time-bound framework to eliminate nuclear weapons is seen as a diabolical plot to stall negotiations on the CTBT. Those who want no nuclear-weapon States are being accused of wanting to increase their number. The threatened are being painted as a threat. It is time that these trick mirrors were removed and unnecessary diversions avoided so that we may have a clearer picture of the realities of the situation. If we are all truly agreed that we are today, in the Ad Hoc Committee on a Nuclear Test Ban, negotiating a real step towards nuclear disarmament, we have to work together to reflect this in our negotiations and in our statements in a true spirit of understanding and sensitivity to each other's national interests.

The PRESIDENT: I thank the representative of India for her statement. I now give the floor to the representative of Germany, the Federal Government Commissioner for Disarmament and Arms Control, Ambassador Hartmann.

Mr. HARTMANN (Germany): Mr. President, let me thank you very warmly for the kind words that you have found to welcome me here and, since this is the first time I have the privilege to address the Conference on Disarmament as my country's newly appointed Commissioner for Disarmament, I take the opportunity to warmly congratulate you on your assumption of this year's first CD presidency. We are aware that this initial phase is highly sensitive and that you bear a special responsibility which you have discharged in a very skilful and competent manner. I should also like to express my appreciation for the professional and efficient assistance provided to the CD by Mr. Vladimir Petrovsky, Secretary-General of the Conference on Disarmament and the United Nations Secretary-General's Personal Representative, and by his deputy, Mr. Abdelkader Bensmail.

Given the CD's unique role as the only multilateral body to negotiate universally applicable arms control and disarmament treaties, the German Government attaches great importance to its work. We are, however, concerned that the CD's membership is somewhat limited. In our view, this is at odds with the role which the CD has to play in universal arms control and disarmament. Our fear is that this role could be jeopardized if the issue of the expansion of CD membership is not speedily resolved. In our view, requests for membership by all candidates should be respected, which means that all States wishing to participate in the CD as full members should have the right to do so. We are, of course, fully aware that the United Nations Disarmament Commission and the United Nations General Assembly's First Committee will remain the only bodies in which all United Nations Member States are represented in the field of disarmament.

The profound changes in Europe since 1990 have also revolutionized arms control. While one of its major functions, up to that time, had been to prevent a dangerous East-West confrontation, arms control is now facing new challenges. In this sense, in December 1993, German Foreign Minister Kinkel had already, in a 10-point initiative, outlined some of the tasks ahead. I am very pleased that one of the goals mentioned therein, the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, was achieved at the New York NPT Review and Extension Conference last May. The documents agreed upon at this conference, relating to the strengthening of the review process and to the principles and objectives for nuclear non-proliferation and disarmament, should guide and encourage the CD's work in the nuclear field.

In this context, the commitment by all participating States to reach agreement on a CTBT in 1996 is of primary importance for us, and we share the view that the CTBT negotiations should be the CD's priority task this year. The German Government has long been an advocate of a comprehensive nuclear-test-ban treaty which is universal, unlimited in duration and effectively verifiable. This treaty would in our view help both to prevent nuclear proliferation and speed the nuclear disarmament process. In 1996 there is a window of opportunity to achieve the long-sought goal of a CTBT. The negotiations should be concluded in time to allow for endorsement of the treaty text during this year's United Nations General Assembly session. We would indeed prefer conclusion of the work on the treaty text by June this year.

(Mr. Hartmann, Germany)

On behalf of the German Federal Government, I should like to urge you to stick to the goal set by the international community for the conclusion of the CTBT in 1996. Artificial links to other items will not help but rather hinder its conclusion on schedule. It is clear to us that intensive negotiations still lie ahead. I should like to express my congratulations and best wishes for success to Ambassador Ramaker, who has been charged with chairing the negotiations at this crucial stage.

Let me now address some of the major CTBT issues still to be resolved.

Scope: We appreciate and strongly welcome the "zero threshold" approach which is supported by France, the United States of America, the United Kingdom and endorsed by Russia. We once again call on the People's Republic of China to subscribe to this position.

Imminent Nuclear Test Explosion: In Germany's view, the Executive Council of the CTBT organization should be able to act if there is suspicion of an imminent nuclear explosion. We have introduced new treaty language and are confident that it will find consensus. We reserve our right to reintroduce the original language, should the new language not be acceptable.

International monitoring system: While otherwise satisfied with the current acquis, we consider noble gas measuring to be an indispensable IMS technology because of its unequivocal evidence value.

On-site inspections: We attach great importance to capturing time-critical events in the initial phase of an on-site inspection. Therefore a regulation should be sought which ensures that on-site inspections can be carried out immediately after a possible event.

Organization: Germany is in favour of a structure modelled on the chemical weapons Convention. We support a small but independent CTBT organization in Vienna which could cooperate with IAEA.

Entry into force: We favour a numerical solution providing for a ratifications threshold under 60 in order to secure a rapid entry into force.

Financial and personnel questions: In line with its long-standing commitment to the CTBT, Germany will do its best to contribute to the funding of the Preparatory Commission's budget in 1997. In the same constructive spirit, Germany is prepared to provide high-level personnel for the future staff of the Preparatory Commission.

Another topic to which the German Government attaches great importance is the early start of "cut-off" negotiations. This, too, is a subject of importance in the context of both nuclear non-proliferation and disarmament. I hope that the CD will establish an ad hoc committee on "cut-off" on the basis of the agreed mandate contained in the report by Ambassador Shannon of Canada. Early conclusion of the CTBT negotiations would allow for a rapid start of cut-off negotiations, and thus to address a further goal mentioned in the 1995 NPT Review and Extension Conference's "Principles and objectives for

(Mr. Hartmann, Germany)

nuclear non-proliferation and disarmament". As you are aware, the United Nations General Assembly consensus resolution 48/75 L stressed the importance of a "cut-off" treaty.

As stated in this document, nuclear disarmament is a third topic in its own right in the programme of action for implementation of article VI of the NPT. This has been implemented to an extent unimaginable a few years ago. The process must, however, be continued and the CD should examine the options for doing so. I join the Swedish Minister for Foreign Affairs, Mrs. Hjelm-Wallén, in welcoming the fact that you, Mr. President, took the initiative to conduct intensive consultations with a view to developing a basis for consensus on this issue. Having listened to the previous speaker, I hope that the Chair will, nevertheless, continue with its efforts.

The Federal Republic of Germany has long advocated the strengthening of the biological and toxin weapons Convention by means of a verification protocol. Granted, much progress has been made in the Ad Hoc Group. Nevertheless, it is obvious that negotiations must be stepped-up if we want to achieve timely results. It is our hope that the fourth review conference in December will give new impetus to these negotiations.

The BTWC was the first disarmament agreement to ban an entire category of weapons of mass destruction while also mandating the elimination of existing stocks. Whereas this agreement was considered a major achievement in the 1970s, many have since then come to realize that the lack of a verification regime represents a serious flaw. In the absence of such a regime, suspicions could be - and indeed have been - raised against BTWC member States regarding their compliance with the Treaty. Moreover, development and stockpiling of biological weapons by one country has proved that biological weapons indeed pose a threat. All this has confirmed our conviction that a BTWC verification regime is vital in order to successfully deter potential violators and to establish lasting confidence in treaty compliance.

Notwithstanding the priority need for the CD to address nuclear items in its work programme for this year, in our view conventional arms control deserves greater attention on the part of the Conference. The large number of conventional armed conflicts in many parts of the world and the tremendous suffering caused by the use of conventional weapons are a matter of great concern. As we are all aware, the specific conventional arms control and confidence-building measures agreed upon within OSCE have helped to overcome East-West confrontation and to promote peaceful and cooperative relations between its members. The Treaty on conventional forces in Europe, for example, which has led to the elimination of more than 50,000 major weapon systems, is a shield against a new conventional arms race in Europe. It is also a firm basis for stability among the evolving family of old and new democracies in Europe. Moreover, we expect that the negotiations on conventional arms control presently under way between the conflict parties in the former Yugoslavia, with the active support of the members of the Contact Group, will conclude successfully within the time-frame set by the Dayton agreement, and that thereafter they will have a similar beneficial effect for the Balkan region as a whole. Against this background, I should like to urge

(Mr. Hartmann, Germany)

the CD to resume its own work on the subject of conventional arms control in the transparency in armaments Ad Hoc Committee, where constructive and fruitful discussions have already taken place in previous years.

In conclusion, let me make a brief reference to another topic. Every day in the former Yugoslavia as in so many other countries in the world, civilians - men, women and children - fall victim to land-mines. In May, the third round of the Review Conference of the States parties to the Convention on certain conventional weapons (CCW) will, we trust, considerably strengthen the provisions on land-mines of this Convention and thereby greatly diminish the terrible effects on the civilian population of the use of land-mines. We see the possibility that - once the Conference for the United Nations weaponry Convention is concluded - mine-related issues - for instance the project for a land-mine control programme - could be discussed in the transparency in armaments Ad Hoc Committee.

This overview on issues of relevance to the CD - although far from complete - demonstrates the importance of your agenda for international peace and stability. The issues are complex and the interests diverse, as is quite natural within a Conference which aims at universally applicable solutions. But, as the CD has shown in the case of the chemical weapons Convention, three and a half years ago, with polit. cal determination, endurance and readiness for compromise even the most difficult negotiations can be successfully concluded.

The PRESIDENT: I thank the representative of Germany for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Ukraine, Ambassador Slipchenko.

Mr. SLIPCHENKO (Ukraine): First of all, Mr. President, I would like to congratulate you on the excellent discharge of your important functions which ensured a smooth commencement of the 1996 session of the Conference on Disarmament. This has been extremely essential as the Conference is being confronted with a major challenge of completion of the comprehensive nuclear-test-ban treaty in accordance with the relevant resolution of the United Nations General Assembly, a treaty which we regard as a landmark non-proliferation and disarmament measure. Our delegation shares the view already expressed in the course of the first three plenary meetings of the CD that this objective is an achievable one provided the parties to the NTB negotiations manifest sufficient political will to resolve a few outstanding problems of a principal nature.

It is more than obvious that the issue of scope occupies a central place in the ongoing discussions, and we would like to reiterate our support for the treaty based on the true-zero-yield standard which would establish an effective ban on all nuclear explosions using the language proposed by Australia in its working paper CD/NTB/WP.222. The ban should be truly comprehensive making inter alia no exception for so-called peaceful nuclear explosions. The reference to PNEs should be excluded from the text of the draft, in our opinion.

(Mr. Slipchenko, Ukraine)

In the same line we continue to see evident merits in incorporating into the text of the treaty provisions envisaging the closure of the nuclear test sites, as well as the section on security assurances to the States parties.

On the verification regime of the CTBT, our delegation is of the view that current intensive negotiations should result in the creation of the international monitoring system (IMS) having precisely defined parameters and procedures which would allow it to perform efficient verification of the treaty, and thus enhance compliance with obligations undertaken by the States parties. We believe that provisions of the treaty on the IMS should be put within the wider context of measures aimed at confidence-building and ensuring transparency, which are to be duly reflected in the text.

As regards on-site inspections, we look with great attention and interest at the debate within Working Group 1 of the NTB Ad Hoc Committee. We think that along with reaching consensus on basic principles and purposes of OSI, the parties to the negotiations are yet to resolve a number of relevant specific questions, including the sequence of steps to be taken if inspection produces contradictory or incomplete data; more detailed elaboration of the procedure of lifting the allegation concerning non-compliance of the State party, in case results of inspection provide no reliable data to corroborate such an allegation; and what should be done, taking into account that the decision adopted by the NTB organization on non-compliance is supposed to be final, in case the State which has requested inspection is not satisfied with its results.

It seems also worth determining the exact sequence of measures to be taken by the organization in case a State party recognizes the fact of testing after inspection has started, particularly what measures are to be taken by the inspection team as to whether to continue or cease its activities. We also deem it necessary to include in the text the provision regulating the measures to be triggered by the inspected State party and organization in case it is proved that members of the inspection team violated rules of conduct.

During recent deliberations the issue of funding has been discussed from different perspectives. In this connection, we suggest that making a preliminary assessment of costs of conducting one "standard" inspection should be useful for our future work.

I would also like to draw attention of the distinguished delegates to the working document introduced by our delegation (CD/NTB/WP.306 of 13 February 1996) which addresses some concrete issues related to the international monitoring system and on-site inspection, complementing our previous proposals on the rolling text contained in CD/NTB/WP.234.

Notwithstanding the crucial importance of the NTB negotiations and their timely completion, we are of the opinion that other items on the agenda of the Conference on Disarmament should not be forgotten as well. We hope that the CD would be able, eventually, to overcome the obstacles hampering an agreement on appropriate ways to consider other issues within its mandate, including the

(Mr. Slipchenko, Ukraine)

start of the work of the ad hoc committee on "cut-off", continuation of our previous discussions on security assurances, and addressing the wider topic of nuclear disarmament.

I appreciate very much the stand taken by the previous speaker, the distinguished Commissioner for Disarmament and Arms Control of Germany, Ambassador Hartmann, on the matter of the expansion of the CD membership, regarding it as an issue of primordial importance and urgency. You will certainly understand that I fully share this view. This issue has been our constant concern for a number of years. Unfortunately, in spite of the adoption of the CD decision (CD/1356), we can only repeat a nearly ritualistic phrase - that of our deep regret over the CD's inability to effectively enlarge its membership and implement the consensus resolution of the United Nations General Assembly calling for the implementation of the above-mentioned decision on an urgent basis and also urging that the new members should assume membership of the Conference at the start of its 1996 session.

We would like to stress that Ukraine does not regard our admission to the Conference as a sort of a special favour, but rather as an invitation to contribute to common productive work based on the experience of this country in the field of arms control and disarmament, including its input into nuclear disarmament and non-proliferation, strict fulfilment of its obligations under major arms control treaties, as well as on the corresponding expertise and capacities acquired and developed by it. In our view, this bears special relevance now when the Conference is in the final phase of the CTBT endeavour, while negotiations on the "cut-off" convention and other important issues are likely to follow.

We share the view expressed by Ambassador Selebi of South Africa that the CD has to redo itself in order to maintain its status and prestige. Expansion of its membership, or rather aligning it with the cardinal changes in international politics, should play an essential role in such a reform. For the very same reason, it cannot afford to deal with the matter of expansion on a long-term basis, because its very future is highly dependent on its ability to resolve this issue in a positive and responsible way, even if it would involve the eventual refining of the Conference's rules of procedure.

We noted with satisfaction your remark at the opening plenary concerning the serious attention you were intending to give to the requests of 23 additional States for membership and the need for the establishment of an effective mechanism for the review of the decision contained in CD/1356. We expect that this level of commitment would be maintained by your successor, Ambassador Ramaker of the Netherlands, by dealing with the issue of expansion as a matter of urgency and major importance through his personal and interested engagement or, if he considers it more effective, by appointing a special coordinator on the issue of expansion.

The PRESIDENT: I thank the representative of Ukraine for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Belgium, Ambassador Guillaume.

Baron GUILLAUME (Belgium) (translated from French): Mr. President, since my delegation is speaking for the first time with you in the Chair, I would like to say how much we have appreciated the skill that you have shown since becoming President. This has enabled us to commence the most urgent part of our work, namely, the negotiations on the CTBT. In your efforts, you have received the full cooperation of my delegation. Indeed, if I am taking the floor today, it is to a great extent in response to the consultations you are holding, in the framework entrusted to you by this Conference, on nuclear disarmament. I have expressed the position of my country in our bilateral conversations. Perhaps, though, it might be a good idea if I were to come back to them here in plenary.

Nuclear disarmament is a priority for Belgium and we have always emphasized this, whether by supporting the relevant resolutions on the subject at the United Nations, by welcoming progress in this area, by unilateral measures or by bilateral measures. However, we have always spoken out against purely rhetorical declarations or manoeuvring disguised as generous proposals. Now, it is the latter aspect that seems to be gaining the upper hand in this body, hence the need today to take stock.

Nuclear disarmament is a more than serious matter and it concerns everyone. Of course, it concerns the "nuclear" countries - that's the strictly disarmament aspect. But it also concerns all the others, and that's the non-proliferation aspect. Disarmament and non-proliferation are part and parcel of the nuclear disarmament concept. Of these two approaches, prevention and cure, the first is the more urgently needed to prevent the disease from spreading, but the second is obviously essential to our final objective of a world free of nuclear weapons.

In the area of nuclear non-proliferation we have striven successfully for years to find solutions to prevent the disease from spreading. The centrepiece of this action is the Treaty on nuclear non-proliferation, to which we gave a new lease of life last year by eliminating the impermanence which could only be prejudicial to it. Today the NPT is truly the cornerstone of the entire process of nuclear disarmament, and it is regrettable that certain countries, which are among the most fervent in calling for "nuclear disarmament", have not understood this and insist on remaining outside this treaty. In our view they are wrong, because not only are they preventing the NPT from becoming fully universal, but they have not understood that nuclear disarmament - for which they call so loudly - will be negotiated step by step within this treaty and that, on that day, they will not be at the table. They only have a little time left to change their position, because the process will start soon, since last year in New York the principle of the periodic review of this treaty was accepted and the first conference, a Prepcom, will take place in 1997. To give just one example - and I am speaking as the former Chairman of the CD's Ad Hoc Committee on this subject - I am convinced that any future negotiation on security assurances will be carried out solely within the NPT.

The Conference on Disarmament nevertheless has a role to play in nuclear disarmament, as it is proving with the current CTBT negotiations: these are a tangible contribution to nuclear disarmament and here we are far from great

(Baron Guillaume, Belgium)

flights of demagogic oratory. If, as we wish, a CTBT is signed in June, it will have impacts for everyone, including the five nuclear countries. A treaty banning fissile material for military purposes (the cut-off) also has a place in nuclear disarmament and it was really disheartening, in 1995, to see countries which were allegedly advocates of disarmament neutralize the committee on cut-off in the name of nuclear disarmament. This struck us as paradoxical, not to say suspicious. The CTBT and cut-off have a place in the CD, which is the sole multilateral body with the task of negotiating universal treaties.

For Belgium the CD is the natural negotiating forum for nuclear non-proliferation measures. The effectiveness of these measures is closely dependent on their universality - at all events the largest possible number of accessions. We think that only the Conference on Disarmament, which enables everyone to express his or her views while respecting those of others, is capable of bringing this large number together. We also continue to believe that a sincere commitment to non-proliferation cannot be reconciled with rejection of the NPT, and certainly not by countries whose nuclear potential is in everyone's mind.

However, concerning the dismantling of the stockpiles of the nuclear States, efficiency and political realism dictate that we should leave the negotiations to the Powers that possess these stockpiles. We are convinced that to place this problem in a multilateral context, that of the CD or any other, is counter-productive at this stage. This can only jeopardize both the non-proliferation efforts and the reduction of nuclear weapons. The very nature of these two exercises requires them to be pursued separately. The still more dangerous idea of making our non-proliferation efforts depend on a timetable for nuclear disarmament seems to us to be a manoeuvre which can only lead to the CTBT and the cut-off both being postponed indefinitely.

While bearing all this in mind, we must acknowledge that there are differences of scale among the nuclear Powers which make disarmament by the United States and Russia a priority. This is, indeed, very well understood by the two countries, because here progress has been made and we have pleasure in underlining the INF treaties, the implementation of START I and just recently START II by the American Senate. These are very tangible achievements in the area of nuclear disarmament. To this we should add the creation of regional denuclearized zones and the progress achieved in the field of security assurances. In parallel, a welcome should also be given to the unilateral decisions of some countries in the nuclear field, such as the moratoriums on nuclear testing, the halting of the production of fissile material for military purposes and, still more specifically, the withdrawal of 200 tons of this material by the United States. Of course, we remain true to the ultimate objective of total nuclear disarmament by all the countries of the globe, but we think that what I have just outlined represents very good steps in the right direction.

We should therefore first of all encourage the two major nuclear Powers to pursue their negotiations so that as soon as possible they reach a threshold where they can be joined by the three other nuclear Powers, in order that the five of them can adopt additional measures at that moment. Only when

(Baron Guillaume, Belgium)

we have reached that stage will there be a basis for truly multilateral negotiations in this area. On that day, but not before, the CD will have a role to play.

By way of conclusion, I can only encourage you to support the efforts of all those who are striving to achieve real progress in nuclear disarmament in all forums where the participants are striving to that end for the moment and to recognize those efforts. For the rest it is necessary, even if you have to have yourself tied to the mast like Ulysses, not to allow yourself to be enticed by the demagogical sirens who can only lure us off course in our efforts towards nuclear disarmament. In the present international context, Belgium's view is that well-thought-out, progressive, balanced and monitored disarmament is a major contribution to the security of all.

The PRESIDENT: I thank the representative of Belgium for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage? It does not seem to be the case and, hence, I shall move ahead and make my closing statement.

As the term of Myanmar's presidency draws to a close, I would like to make some closing remarks on the work of the CD during my tenure.

It is customary at the beginning of each year for the incoming President to attempt to initiate the work of the CD in a smooth manner, and to reach agreement on a programme of work for the year. For understandable reasons, such endeavours have often proved to be difficult exercises and this year was no exception. My delegation spared no efforts to ensure a smooth and effective commencement of this year's session. Intensive consultations were held with the Group Coordinators as well as bilaterally with all individual delegations of the CD, who had made themselves available for this purpose. As a result, and due to the spirit of cooperation and flexibility demonstrated by all delegations, the CD was able to adopt its agenda, a programme of work for 1996, and to re-establish the Ad Hoc Committee on a Nuclear Test Ban at the first plenary. For this collective achievement, we owe a debt of gratitude to my predecessor Ambassador Benjelloun-Touimi of Morocco and his predecessors for laying a firm foundation for the smooth commencement of the 1996 session and for helping me overcome some difficult procedural issues on organizational arrangements.

To go on to CTBT negotiations, we are in agreement that the highest priority at this year's session must necessarily be accorded to the CTBT negotiations. I am heartened to note that the Ad Hoc Committee on a Nuclear Test Ban has commenced its work in a satisfactory manner. In this context, I would like to express my deep appreciation to the Chairman of the Ad Hoc Committee, Ambassador Ramaker of the Netherlands, the Chairman of Working Group 1, Ambassador Berdennikov of the Russian Federation, the Chairman of Working Group 2, Ambassador Zahran of Egypt, and Friends of the Chair for their dedication and determined efforts to move forward the CTBT negotiations.

(The President)

I also take this opportunity to convey my profound gratitude to the former Chairman of the Ad Hoc Committee, Ambassador Dembinski of Poland, the former Chairman of Working Group 1, Ambassador Norberg of Sweden, the former Chairman of Working Group 2, Ambassador Ramaker of the Netherlands, and the then Friends of the Chair for their important contribution toward the advancement of the CTBT negotiations during 1995.

The current year is the year of CTBT negotiations in the CD, and we are committed to complete this task at an early date. Given the complexity of the subject and numerous outstanding issues still to be satisfactorily addressed, it remains for us a challenging task. Our efforts now focus on resolving the outstanding issues and removing the remaining brackets in the rolling text. Any initiative or proposal that will be helpful to this exercise should be most welcome.

Outstanding issues are numerous, but they nevertheless narrow down to a few key issues. And the necessity exists for us to exert our energies on resolving the key issues of scope, preamble, entry into force, on-site inspection and national technical means. Early resolution of these fundamental issues will facilitate the solution of other outstanding items, and expedite the entire process of the CTBT negotiations. To this common objective, I urge all delegations to extend their full cooperation and display their maximum flexibility in our collective endeavour to bring the CTBT negotiations to a prompt and successful conclusion.

Now, to review of the future agenda and other items. Although we are very much occupied with the CTBT negotiations, we are devoting adequate attention to the other items on the CD agenda. By its decision adopted on 23 January, the CD entrusted Ambassador Meghlaoui of Algeria with the task of carrying out consultations on organizational arrangements to address four of the agenda items and the review of the future agenda of the CD. The four items consist of: the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; prevention of an arms race in outer space; and transparency in armaments. The Special Coordinator has begun to shoulder his important responsibilities, and no doubt all delegations of the CD join me in wishing him all the best in this important endeavour. I am confident that, given his expertise and diplomatic skills, Ambassador Meghlaoui will bring his work to a successful conclusion.

And now, nuclear disarmament. By another decision adopted on 23 January, the CD had entrusted the President with the responsibility to conduct intensive consultations on nuclear disarmament with a view to developing a basis for consensus on this issue. Accordingly, I have conducted a series of intensive consultations with the Group Coordinators as well as bilaterals with all delegations who have made themselves available for this purpose. I have also circulated a questionnaire to all delegations, and requested them to respond either orally or in writing. Almost all delegations have conveyed their respective positions on this issue in one way or another. There have been enthusiastic responses from several delegations. They expressed their

(The President)

views on identification of issues of nuclear disarmament that could be suitable for multilateral negotiations in the CD, and informed me that they were ready to elaborate on such issues if called upon.

But, despite my efforts, it was not possible to reach consensus on this issue during my tenure. The CD had taken a significant step to de-link the issue of nuclear disarmament with other items. Accordingly, I had anticipated that this exercise would possibly be reciprocated by some delegations by displaying greater flexibility on the issue of nuclear disarmament. At this point in time, my expectations have not yet been realized.

Nevertheless, these consultations have proved to be productive, and I detect some positive trends. They reveal that a considerable number of delegations favour the early establishment of an ad hoc committee on nuclear disarmament and have it commence negotiations on the subject during this year. These delegations, however, are prepared to view favourably the establishment of an open-ended working group, as an interim measure, provided that this exercise will lead to the establishment of an ad hoc committee within a reasonable period of time. Some delegations from one group do not favour establishment of any mechanism on this issue in the CD at this stage. Other delegations from the same group have expressed their flexibility, and are prepared to view favourably the establishment of an open-ended working group on nuclear disarmament or a similar mechanism. Some delegations from another group have expressed their willingness to agree to the appointment of a special coordinator on this issue. They have also expressed their willingness to give their consent to the establishment of an open-ended working group or a similar mechanism.

From the above-mentioned positions of groups of countries and the outcome of my consultations, I have come to the following conclusions and recommendations. All of us share the common goal of nuclear disarmament including reductions of nuclear arsenals leading ultimately to the elimination of nuclear weapons. Differences still lie in our perceptions with regard to the means to achieve this goal, modalities, perceptions of what should constitute nuclear disarmament, assignment of priorities and timing of various steps to be implemented to that end. It appears that we must necessarily adopt a step-by-step approach in our endeavours to move forward on this issue. No delegation has ruled out a possible future role of the CD in the field of nuclear disarmament. A considerable number of delegations are in favour of the early establishment of an ad hoc committee on nuclear disarmament. All delegations, with the exception of a few, have expressed their willingness to agree to the establishment of an open-ended working group, as an interim step. The convergence of views among a considerable number of delegations seems to exist on the concept of a possible compromise formulation to the effect that the CD may wish to further consider the establishment, as an interim measure, of an open-ended working group on nuclear disarmament under a chairman; and that the working group identify the issues of nuclear disarmament that could be suitable for negotiations in the framework of the CD, and to develop a basis for consensus on an appropriate organizational arrangement to deal with nuclear disarmament.

(The President)

There still exist differences of views on the timing of the first step mentioned above, and the timing of the subsequent step to be taken. Although consensus does not exist on this in the CD as yet, there seems to exist a certain measure of convergence of views on the above-mentioned concept among most delegations. I would venture to suggest that we build on this concept, and try to advance further. Consequently, I should like to recommend that successive Presidents continue this process of consultations as circumstances permit, with a view to developing a basis for consensus. I am of the view that substantive progress on this issue will lead to the creation of propitious conditions for advancing the work of the CD, not only on this particular subject, but also on other issues as well. Accordingly, I encourage those delegations with strong positions on this issue to continue to lend their support to these exercises and display more flexibility in order to achieve our common objective.

Another important issue that had been the focus of my consultations is that of expansion of the membership of the CD. This was done in pursuance of decision CD/1356 dated 21 September 1995, and the conviction shared by all of us that this issue must be addressed as a high-priority task.

To recount the matter of expansion, we will recall that the ENDC and its successor bodies have evolved over the past 30 years since its inception in 1962. When the Eighteen-Nation Committee on Disarmament was created in 1962, my own country, the Union of Myanmar (at that time, the Union of Burma) was one of the original members together with seven other non-aligned and neutral countries. Hence Myanmar is in a unique position to appreciate the necessity for periodic expansion of membership of our Conference.

The ENDC evolved into the Conference of the Committee on Disarmament (CCD) in 1969 with the enlarged membership of 26 States. It was further enlarged in 1975 to 31 States. In 1978, SSOD-I designated it as the single multilateral negotiating forum dealing with disarmament under the new name of the Committee on Disarmament (CD) with a new composition of membership. Accordingly, the CD was reconstituted in 1979 with the enlarged membership of 40 States, and it assumed its new name "Conference on Disarmament" in 1984.

My purpose in recounting this long history of our processes of expansion is to amply demonstrate that the CD has been evolving, and has been enlarged, stage by stage, as a necessity. In the present era many of us share the view that it is even overdue for the CD to enlarge its membership, reflecting the realities of the post-cold-war era. Avenues should continue to be explored to have the decision contained in CD/1356 of 21 September 1995 implemented and members of the G.23 admitted at the earliest possible date. The CD membership must also be kept under active review in accordance with rule 2 of the rules of procedure.

I conducted intensive consultations on this issue with Group Coordinators, with members of the Group of 23 and with other non-member States both collectively and bilaterally. Despite all my efforts, circumstances were such that it was not possible to implement decision CD/1356 during my presidency. However, these consultations have been most valuable, and will certainly contribute to our endeavours to find a solution to this outstanding

(The President)

issue. At the request of the members of the Group of 23, I have met and briefed them informally on the substance of the Presidential consultations. I intend to hold another informal briefing session with them during this week.

The future role of the CD is being discussed among delegations in earnest as has never been done before, in consonance with the dramatic changes in the international situation. It is naturally appropriate that we are now turning our thoughts and attention to what the future role of the CD should be in the post-cold-war era. SSOD-I had designated three multilateral bodies to deal with disarmament: the First Committee of the United Nations General Assembly, the Conference on Disarmament and the Disarmament Commission. The post-cold-war period has created propitious conditions for reaching agreements on various issues of arms limitation and disarmament; it has also brought new issues for multilateral arms limitation and disarmament negotiations. There is room for enhanced roles for the First Committee and the CD. I believe that we should strengthen the roles of these two important multilateral bodies. The work of the Disarmament Commission is in many areas overlapping with the functions of the First Committee. At a time when streamlining of the United Nations system is high on our current agenda, we may take a more careful look at the future role of the Commission and thereby enhance its effectiveness.

My presidency has been a fruitful and satisfying experience for me. I would like to convey my thanks to all delegations for their cooperation and valuable support. May I also convey my deep appreciation to the Group Coordinators for their cooperation and support? My thanks also go to members of the Group of 23 and other non-member States, who have worked closely with me in my consultations on expansion of the membership of the CD. I express my profound gratitude to Mr. Petrovsky, Secretary-General of the CD and Personal Representative of the United Nations Secretary-General, Mr. Bensmail, Deputy Secretary-General of the CD, and staff members of the secretariat, who have assisted me in numerous ways in the discharge of my duties. And I must also thank the interpreters, whose services have been indispensable. I thank you all.

To proceed further, the secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, only indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference will be held on Thursday, 22 February 1996 at 10 a.m.

The meeting rose at 11.30 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.726
22 February 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND TWENTY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 22 February 1996, at 10 a.m.

President: Mr. Ramaker (Netherlands)

GE.96-60695 (E)

The PRESIDENT: I declare open the 726th plenary meeting of the Conference on Disarmament.

On behalf of the Conference, and on my own behalf, I should like, at the outset, to extend a warm welcome to the Minister for Foreign Affairs of the Islamic Republic of Iran, His Excellency Dr. Ali Akbar Velayati, who will address the Conference today. Over the past years, Dr. Velayati has addressed the Conference many times and his presence among us yet again testifies to the abiding interest of his Government in our work and to the importance it attaches to our forum, especially at this crucial time when the Conference is intensifying its efforts to conclude the negotiations on a comprehensive test-ban treaty. I am sure that the Conference will listen to his statement with keen interest.

I also have on my list of speakers for today the representative of Mexico.

However, before giving the floor to the speakers inscribed today, allow me to make a few opening remarks at the start of my presidency.

At the start of the Netherlands presidency of the Conference on Disarmament I owe a word of sincere thanks to my immediate predecessors, Ambassador Benjelloun-Touimi of Morocco and Ambassador U Aye of the Union of Myanmar. It is with some trepidation that I follow in their footsteps. There are mainly two reasons for that.

First, their two presidencies taken together span almost half a year. Active as they were, both during the CD sessions and in the long inter-sessional period that they covered, they gathered a wealth of experience that I will not even try to match in the four weeks of my tenure. Secondly, the outstanding way in which each of them performed their duties as President of the Conference instills in me some modesty. During his presidency, Ambassador Benjelloun-Touimi, amongst other things, could reach, after extensive consultations and hard work, agreement on a first concrete step on the road towards a solution of the question of the expansion of the membership of the Conference, a problem with which the Conference, as you know, has wrestled for so long. Having had a long and effective presidency, Ambassador Aye deserves our gratitude if only for the way in which he secured the smooth and immediate resumption of the work of the Conference at the beginning of this year's session on 23 January.

Clearly, and Ambassador Aye was the first to observe this in his closing remarks last week, the fact that we could immediately, at the very beginning of this year's session of the Conference, take up our substantive work, reflects the priority we collectively attach at this moment to the negotiations on a comprehensive test-ban treaty. While occupying the presidency of this Conference, it is precisely this collective priority we have given to the CTBT negotiations which will make it necessary for me to give at the same time my undiminished attention, in my capacity as Chairman of the Ad Hoc Committee on a Nuclear Test Ban, to these negotiations.

(The President)

My twin capacities as President of the Conference on Disarmament and Chairman of the Ad Hoc Committee on a Nuclear Test Ban entail, of course, a heavy workload for me for the next four weeks. But as far as the CTBT negotiations are concerned, I know I can count on the full cooperation of the chairmen of the two working groups, Ambassador Berdennikov of the Russian Federation and Ambassador Zahran of Egypt, as well as of the various Friends of the Chairs.

So while the CTBT negotiations, as I trust you will understand, will never be far from my mind, I will not neglect the responsibilities flowing from my presidency of this Conference. The Conference, for more than one reason, goes at present through a crucial period of its existence. First, because it is under its auspices that currently the negotiations on a comprehensive nuclear-test ban are taking place. This means that, more than maybe ever before, the eyes of the world are upon the Conference. But secondly because, while these negotiations are going on, we have to address the question of what priority tasks the Conference shall take up once these negotiations, later during the session, will be over.

It is therefore highly appropriate that right at the beginning of this session consensus could be reached to appoint a Special Coordinator, in the person of Ambassador Meghlaoui of Algeria to consult on the review of the future agenda of the Conference as well as on organizational arrangements to deal with the issues of: the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; prevention of an arms race in outer space; and transparency in armaments. In my opinion, Ambassador Meghlaoui has taken upon himself a task which, under the present circumstances, is an extremely important one. Ideally, the result of his endeavours should be a modernized agenda of this Conference, reflecting the needs, possibilities and priorities of this body, responsible as it is for multilateral negotiations on arms control and disarmament questions under the new conditions of the post-cold-war world. During my tenure I intend to remain in close contact on this with Ambassador Meghlaoui, and I wish him every success in his endeavours.

My immediate predecessor took upon himself intensive consultations with regard to nuclear disarmament and this, as he put it, "with a view to developing a basis for consensus on this issue and to report to the Conference at the earliest opportunity". In his closing statement at last week's plenary meeting, Ambassador Aye shared with us the results of his consultations on this question. It is my intention to continue consultations on this issue, for which many delegations see a role for the CD as well, so as to find out whether a basis can be found to take up this question in this forum.

The question of the expansion of the membership of the Conference is foremost in the minds of both members and non-members of the Conference. The impatience with which those non-members present in this room who applied for membership await the decision of the Conference to receive them in their midst is fully understandable. Although, as I just said, an important first step towards a solution of this question has been taken, we are all aware of the

(The President)

obstacles that remain. I shall continue to consult both within the membership of the Conference as with non-member delegations, be they from the group which, according to decision CD/1356, will assume together membership of the Conference at the earliest possible date, or from those applicants outside that group.

At the outset of my presidency I am looking forward to closely cooperating with you in the discharge of my functions as your President. I sincerely hope that the outcome of my endeavours will be positive and I intend to report to you on the progress made in the discharge of the responsibilities during the final plenary meeting of the Conference under my presidency.

I should now like to give the floor to His Excellency Dr. Ali Akbar Velayati, the Minister for Foreign Affairs of the Islamic Republic of Iran.

Mr. VELAYATI (Islamic Republic of Iran): Mr. President, I should like first of all to congratulate you on your assumption of the presidency of the Conference as well as on your chairmanship of the Ad Hoc Committee on a Nuclear Test Ban. I also thank Mr. Vladimir Petrovsky, Secretary-General of the Conference, and his deputy, Mr. Abdelkader Bensmail, for their hard work and continued support to the Conference.

We have just surpassed half a century of living under the terror and agony of a nuclear war. We have witnessed crisis situations resulting from regional conflicts in which use of nuclear weapons seemed imminent. Nuclear explosions have been abundant, contributing continuously to systematic qualitative and quantitative progression of nuclear weapons. A frenzied nuclear arms race prevailed over a hazed perception of nuclear deterrence. Those immediate threats and the constant perils of a nuclear catastrophe have diminished as the result of the end of the cold war. Yet, the continued existence of nuclear weapons remains the most serious concern of humanity and its total elimination poses the greatest challenge to this new era.

To undo what has been done in five long decades is, of course, not a trivial task. One could in fact imagine a long and tedious process. Essential, however, is that the process should start and should include a step-by-step approach which attempts to bring the goal of nuclear disarmament as clearly into reach as possible.

We, the non-nuclear-weapon States, gave up the nuclear option long ago and decided to forgo that option indefinitely at the NPT Review and Extension Conference. That decision, it was agreed, was not to be interpreted as legitimizing permanent possession of nuclear weapons by a few. It was, to the contrary, arrived at with the fundamental understanding that negotiations for elimination of nuclear weapons would be pursued expeditiously and resolutely. This understanding prompted the non-aligned countries to introduce a resolution to the United Nations General Assembly calling on the Conference on Disarmament to engage in negotiations on nuclear disarmament.

I wish to encourage the Conference to continue to search for ways so that such negotiations could commence. One cannot, of course, expect that negotiations would immediately focus on detailed provisions of a treaty on

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total elimination. Various possibilities need to be examined and feasible approaches identified. Yet, the fact that such negotiations would be complex and multidimensional and involve many parameters and elements should not mask the need and the requirement to address these issues at this Conference.

We have agreed to conclude the comprehensive test-ban treaty this year. We have also agreed to start negotiations on the prohibition of weapon-related fissile material. The question is what step or steps are to be taken next. I am aware that positions differ here. There have even been arguments to the effect that no further multilateral treaties could be envisaged beyond the CTBT and the "cut-off". This could lead to erosion of confidence within the Conference at a time when it is needed most. I firmly believe that if the commitment for elimination of nuclear weapons is firm and solid, discussions and negotiations could, certainly, lead us to a vision on how and through what further steps we can arrive at realizing this objective. I hope that the Conference can reach an understanding on this sensitive and significant issue and, hence, remove the clouds that have overshadowed its activities and particularly the CTBT negotiations.

We have come a long way since the 1958 trilateral Conference on Discontinuance of Nuclear Weapon Tests. The multilateral 1963 partial test-ban Treaty as well as the bilateral 1974 threshold test-ban Treaty and the 1976 peaceful nuclear explosions Treaty have all been limited in scope. A comprehensive treaty, repeatedly called for by non-nuclear-weapon States ever since the 1950s, was finally confirmed unanimously at the 1995 NPT Conference and is now within our reach. We need to seize the momentum and make sure the opportunity created is not missed.

The Conference on Disarmament has done tremendous work in the last three years and has examined, in depth, all the aspects of the treaty. As a result, all necessary and elemental ingredients for the CTBT are now at our disposal. The state of negotiations as reflected in the rolling text still indicates divergencies of positions and views in nearly all areas. Yet, the majority of differences, as we are all aware, are of a political nature. They, thus, need to be resolved politically.

We have conducted a thorough study of the text, examined the diverging positions (1,219 brackets by the latest count) and traced them back to their origins. This has led us, as could perhaps be predicted, to a few distinct issues which have branched off into the text and became wider apart as they moved deeper into details. The most predominant ones include the treaty's nature and scope, verification and on-site inspection including their detailed procedures as well as organizational issues and the entry into force. What is important, therefore, is to perceive a middle ground - a package so to speak - which may constitute a compromise amongst the various and, at times, contradictory positions.

It is generally understood that the CTBT would halt modernization of second-generation nuclear weapons and arrest the race for gaining superiority and nuclear war-fighting capability through their third generation. The CTBT aims, therefore, to end the qualitative improvement and development of nuclear weapons systems and should be considered as a step towards nuclear

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disarmament. Achievement of an agreement for total elimination of all nuclear weapons at the earliest possible date within a time-bound framework could also be declared a principal aim. This would reflect, in a moderate way, the position of the great majority of the States. These aims could appropriately be included in the preamble of the treaty.

On the scope, given the strong aspirations of the international community for a comprehensive ban, no nuclear test in any place and at whatever yield should be permitted. A provision for peaceful nuclear explosions within the scope, therefore, could create a loophole in the treaty which would lead to suspicion during its implementation and eventually undermine the treaty. Furthermore, it is a strong view that academic and scientific studies have, so far, not recognized any real civil benefit from nuclear explosions. Science, however, is not absolute in its assertions.

The CTBT is a treaty intended to last through decades or even generations. Its duration is indeed unlimited. It would hence seem reasonable to envisage, exceptionally and under stringent conditions, the possibility of peaceful explosions if the real benefits of nuclear explosions for the sole purpose of purely peaceful scientific research and civilian applications are demonstrated in the future. The conditions for acceptance should be set in a manner to make use of this provision possible only when - in a sense - peaceful benefits have been recognized universally. Even then, an explosion of this nature would only be conducted under strict international monitoring. Without attempting to broaden the scope, therefore, stipulations may be made to this effect within the powers and functions of the Conference of States Parties.

Much time has been spent to develop a verification mechanism which would both deter violations and detect them if they ever take place. Extensive technical considerations, particularly by the Group of Scientific Experts, have demonstrated that verification can reliably be achieved with coverage of stations operating under the four monitoring networks. This presents a sufficient basis for the treaty to start while it does not preclude the examination of potential additional technologies and their possible inclusion in the system in the future. Moreover, the proposal by the Russian Federation to place four of the proposed seismic and radionuclide stations at the existing nuclear test sites would further improve the system and could be incorporated following an agreement by the nuclear-weapon States. Introduction of national technical means, on the other hand, entails more complications than benefits and could put into question the reliability and validity of international verification. Verification of compliance with the treaty should be solely based on the data collected from the international monitoring system.

The verification system needs to be completed with provisions for on-site inspection to investigate possible violations. An on-site inspection will principally be a rare event which needs to be conducted effectively. The States parties, as a rule, shall first resort to consultation and clarification. But, this should not affect the timely conduct of on-site inspection where and when necessary. In order to register and record the

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time-critical features of the testing the inspection team should be able to visit the site quickly. This visit would be limited only to visual observations.

If needed, a consecutive inspection may be conducted in an intrusive manner provided that the Executive Council, after thorough review and assessment of the initial inspection report, decides on the inspection by a two-thirds majority of all members present and voting. The Executive Council shall supervise the conduct of OSI and have the right to halt it if it considers the inspection frivolous or abusive. In other words, a red light applies to the initial phase of the inspection whereas a green light is required for the consecutive phase. In my view this approach, taking on board the concerns of many countries, presents a balanced compromise.

With regard to formulations concerning the detailed rules of preparation and inspection activities, the chemical weapons Convention, which has been negotiated not a long time ago, provides a very useful source. In many areas such as designation of inspectors, standing arrangements, conduct of inspections, managed access, the role of the observer and post-inspection activities, the same procedures could be adopted taking into account specific requirements of the CTBT.

It is evident that with the coming into effect of the CTBT nuclear test sites will no longer have any relevance. It would be useful therefore that, as an associated and transparency measure, States parties would decide to close the test sites and destroy equipment specifically designed for nuclear testing. Transparency would also be served through submission of declarations on nuclear tests carried out in the past as well as notifications of chemical explosions of over 300 tons of TNT equivalent, as has been suggested.

The treaty would be most successful if all nuclear-weapon States in addition to other advanced nuclear States accede to it at the time of entry into force. It has, at the same time, been rightly argued that the treaty should not become hostage to the decision, or indecision, of one or two States. We should bear in mind, in this regard, that 68 States are listed by IAEA as those which have, have ever had, or have under construction nuclear power or nuclear research reactors. We could, therefore, stipulate that accession by 65 States out of the 68 would trigger the entry into force, leaving a rather safe margin of 3 to avoid undue delay.

This should be viewed along with an undertaking by the States parties, similar to that which is included in the NPT, not to transfer nuclear materials, equipment and technology to non-parties without application of full-scope IAEA safeguards. Such an undertaking would, of course, serve as an additional disincentive for States who refrain from accession.

We have always considered Vienna as the most suitable place to serve as the seat of the organization for the CTBT and believe that this enjoys consensus. There is also an overwhelming view that the CTBT needs an independent organization which may benefit from existing international expertise and facilities such as IAEA. The CTBT would be funded by the States parties in accordance with the United Nations scale of assessment, adjusted to

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take into account the differences in the membership between the United Nations and this organization. Cost of data transmission, establishment of new monitoring stations and upgrading of existing stations essential to the operation of international monitoring system would be met by the organization.

The CTBTO would include an Executive Council with elaborate and important powers and functions. It should fully represent the anticipated high number of parties to this treaty. The number of 65 for its membership seems reasonable. Regional groups would elect their representatives based on the number of seats allocated to them taking into account certain relevant criteria. Notions of permanency or special status have been broadly objected to and should be avoided, as any form of pre-arranged designation runs counter to the basic norms of democratic procedures. Regional groups, of course, have the right to re-elect a certain State or States taking into account certain criteria if they so choose.

Dear friends, you are working against time. I praise your commitment to the negotiations and to their conclusion this year. As we approach the perceived deadline, the need for ways to achieve a breakthrough becomes increasingly pressing. We, for our share, have been actively seized with this matter. Lengthy, careful and detailed deliberations have guided us to a possible compromise text for the treaty, aspects of which I just described. I wish to present this text today and make it available to you to study and consider. The text by no means intends to avert or divert the current course of negotiations. Nor is it meant as a substitute. The sole effect that we hope it would produce is to encourage all interlocutors to consider possibilities for reasonable agreements both on the broader conceptual differences as well as the details and the wordings. One thing I can say about this text is that none of the protagonists would find their positions fully reflected in it although each, I assure you, would find some. The underlying approach is of course based on compromise by all and a balance for all. I hope that you will find this text useful and that it will contribute to serve the negotiations positively as deemed.

The PRESIDENT: I thank the Minister for Foreign Affairs of the Islamic Republic of Iran and for the kind words addressed to the Chair. I now give the floor to the representative of Mexico, Ambassador de Icaza.

Mr. de ICAZA (Mexico) (translated from Spanish): Mr. President, as I am taking the floor for the first time this year in the plenary of the Conference on Disarmament, I extend my sincere congratulations to you on your election as Chairman of the Ad Hoc Committee on nuclear tests, as well as to the Ambassadors of the Russian Federation and Egypt on being elected to chair the work of the groups of that Committee. I am certain that the guidance of such experienced negotiators will facilitate the goal we have set ourselves of concluding a comprehensive nuclear-test-ban treaty which is internationally and effectively verifiable in time for its signature in early autumn, as we were requested by the United Nations General Assembly in the resolution that it fell to my delegation to table and which was adopted without a vote. My Government gives priority, within its foreign policy objectives for this year, to realizing that aspiration of the international community, and we welcome the fact that in this crucial stage of our negotiations you,

(Mr. de Icaza, Mexico)

Ambassador Ramaker, have taken up the Chair of the Conference. We know your commitment to the cause of the cessation of testing and we have the highest opinion of your abilities. These simultaneous appointments are certainly a happy coincidence from which we expect a great deal. You may count on our resolute support and dedicated cooperation.

In recent weeks we have heard in this hall a debate on nuclear disarmament, non-proliferation and the nuclear test ban whose intensity might lead one to believe - as in fact some of the media seem to have done - that our negotiations are bogged down or about to be bogged down. My delegation believes that these concerns are not warranted, or at least they are not warranted as yet.

Firstly, it is inherent in the dynamics of any negotiation, especially when the stage of key decisions and practical concessions is reached, that the tone of the debates rises, reproaches are exchanged, others' positions are exaggerated or distorted, or even hidden or unavowable motives are attributed to divergent positions. It is in fact a game of distorting mirrors characteristic of multilateral negotiations, and it is usually a prelude to difficult agreements. But it is a dangerous game and it must be controlled if there is a genuine desire to arrive at positive results.

Secondly, even in the most categorical statements it is clear that positions have been less inflexible than the tone has suggested. Moreover, in this impassioned debate, the silences have been eloquent: no one has cast doubt on the priority need to achieve a comprehensive nuclear-test-ban treaty this year; no one has denied the importance of non-proliferation for international security; no one has denied the ultimate objective of a world without nuclear weapons, nor that the Conference on Disarmament has a role to play in the field of nuclear disarmament.

Thirdly, despite the fact that the rhetoric has succeeded in insinuating that achieving nuclear disarmament, non-proliferation and a comprehensive nuclear-test-ban treaty are mutually exclusive, antagonistic exercises, and pursuing one would mean jeopardizing another, it is an indisputable, non-controversial fact that as far as all the participants are concerned, our negotiations fall within the context of the mandate set out in paragraph 51 of the programme of action adopted by consensus at the first special session of the General Assembly on disarmament, which says: "The cessation of nuclear-weapon testing by all States within the context of an effective nuclear disarmament process would be in the interest of mankind. It would make a significant contribution to the ... aim of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons and of preventing the proliferation of nuclear weapons." For those of us who are also parties to the non-proliferation Treaty, our negotiations on the prohibition of testing fall, moreover, within the programme of action on nuclear disarmament included in the principles and objectives adopted without a vote by the NPT Review and Extension Conference in 1995.

Fourthly, we all know that the effectiveness of the non-proliferation regime depends on systematic and progressive efforts to reduce nuclear arsenals globally, with the ultimate goal of eliminating them, and that

(Mr. de Icaza, Mexico)

these efforts will be successful only within the context of an effective non-proliferation regime. It is pointless to speculate on whether the chicken or the egg comes first. In fact, let us all resign ourselves to the fact: there will be no nuclear disarmament without non-proliferation, nor will there be non-proliferation without nuclear disarmament.

Mexico believes that an unprecedented political opportunity currently exists to realize aspirations of the international community set out decades ago - the signing of a comprehensive nuclear-test-ban treaty and the negotiation of a broad phased programme with an agreed time-frame for the progressive reduction of nuclear armaments and their delivery systems, which will lead as soon as possible to their complete and definitive elimination. Both goals are important for the strengthening of international peace and security and to promote a climate of confidence among States, and both can be reached in a parallel and unlinked manner. There is no reason for the efforts to achieve either of the above objectives to hamper or hinder achievement of the other. On the contrary - the comprehensive nuclear-test-ban treaty, which we have all set ourselves the task of concluding this year, should be not only an important non-proliferation measure but first and foremost an essential element for the cessation of the nuclear arms race and in order to take a first step towards the total elimination of nuclear weapons.

At the last United Nations General Assembly my delegation co-sponsored the resolution in which it was agreed to call upon this Conference on Disarmament, the sole multilateral negotiating forum in this field, to establish, on a priority basis, an ad hoc committee on nuclear disarmament to undertake negotiations on a phased programme for the final elimination of nuclear weapons within a definite time-frame. This is a long-standing Mexican position, because my delegation had earlier promoted and succeeded in having adopted a resolution entitled "Step-by-step reduction of the nuclear threat", whose essential elements were reflected at the last session of the General Assembly in the resolution in which the international community for the first time adopted the concept of the total elimination of nuclear weapons within a definite time-frame. My delegation is convinced that this Conference is duty-bound to arrive at an institutional arrangement to undertake negotiations in order to respond to the request of the General Assembly. Our country believes that the conclusion of a CTBT should facilitate and give impetus to the process towards the development of a programme for the reduction and elimination of nuclear weapons. This step-by-step programme could contain, for instance, among others, measures designed to reduce the nuclear threat, halt the manufacture and upgrading of nuclear weapons and their delivery systems and reduce nuclear armaments to minimum levels, ultimately consolidating nuclear disarmament through the conclusion of an agreement for the prohibition of the use, production and possession of nuclear weapons. In the meantime we must give the highest priority to concluding the comprehensive nuclear-test-ban treaty. Although some technical questions remain, we already have the necessary elements and information to step up our work and adopt the outstanding political decisions which will enable us to conclude the text before next summer. These decisions are important but few in number.

(Mr. de Icaza, Mexico)

As regards scope, it would seem that we are coming close to a consensus around a formula that would prohibit weapons testing by means of nuclear explosions, and any other nuclear explosion. There would appear to be an understanding that the purpose of the treaty is to prohibit tests that enable the qualitative improvement of existing nuclear weapons, and also to prohibit the development of new weapons and even technologies which lead to the use of small nuclear yields. In order that there should be no doubt about the meaning of the formula on scope, it will be necessary for the understanding on the purpose of the treaty to be set out in a binding manner somewhere in the treaty.

Mexico is in favour of a simple formula for the entry into force of the treaty which will ensure its practical application while not making its validity subject to the will of a State or a group of States.

Monitoring of the smooth running of the CTBT must be in keeping with the activity which it is intended to prohibit and with the treaty verification requirements. IAEA has the necessary machinery and experience in this field. Mexico would also favour the creation of an independent organization, located in Vienna, having close links with the International Atomic Energy Agency. An organization of this type would mean savings, by making use of IAEA support in areas where the Agency has experience in verification questions, such as on-site inspections, the monitoring of radionuclides, the collection and analysis of samples and verification of the operation of sophisticated technical instruments.

The membership of the Executive Council is important in ensuring the smooth application of the treaty. We are in favour of a membership which respects the principles of legal equality, equitable geographical distribution and periodic rotation.

Mexico favours the idea that the CTBT organization should carry out a preliminary evaluation of the information to be produced by the international monitoring system so that all the States parties have the necessary technical information for the proper interpretation of data.

We listened most carefully to the words of His Excellency the Minister for Foreign Affairs of Iran. We thank him for the text he has submitted and we congratulate his delegation on the structuring and rationalization effort reflected in this text. I should like to assure the Minister that my Foreign Ministry is studying the text most carefully. In a preliminary assessment we perceive that it puts forward interesting solutions to difficult problems and we believe that this Conference must consider them thoroughly as a whole. This is a very valuable contribution. Thank you, Mr. Minister.

It is our declared priority, in a resolution adopted as a whole without a vote in the United Nations General Assembly, to sign a comprehensive nuclear-test-ban treaty at the beginning of the next session of the Assembly this autumn. We are close to our goal, certain that all the participants in the negotiations are prompted by the resolute political will necessary to reach agreements on the items outstanding. It is important that in this last phase of delicate negotiations all States should avoid as far as possible

(Mr. de Icaza, Mexico)

distracting us from our immediate objective and damaging the environment of cooperation and mutual understanding essential to our success. It is especially important that no tests or experiments related to nuclear weapons should be carried out, as they might cast doubt on the will to cease the nuclear arms race or the significance of the scope of the draft treaty. It is also important that our differences on the agenda of the Conference, and on our future programme of work, should not delay our proceedings. We must all make a last effort at moderation for the sake of securing a treaty which we have aspired to for 42 years, since it was suggested by the Prime Minister of India in 1954.

The representative of Myanmar, who bore the responsibility of presiding over this Conference at the outset of this session, deserves our gratitude for the skill with which he ensured that we began our work without procedural delays, and for the consultations he carried out on the item of nuclear disarmament. In his statement last week, he offered us an overview depicting the state of the consultations, and announced that he would recommend to his successors in the Chair that they should continue the consultations to produce a consensus. It is no secret to anyone that the item is an important one, and my delegation is certain that you, Mr. President, will continue the laudable efforts made by Ambassador U Aye. I wish you success, which at this juncture would appear to be essential, and I offer you my full cooperation.

The PRESIDENT: I thank the representative of Mexico, Ambassador de Icaza, for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Indonesia, Ambassador Tarmidzi.

Mr. TARMIDZI (Indonesia): To begin with, Mr. President, let me express the satisfaction of my delegation at seeing you - a representative of the Netherlands, with which my country enjoys outstanding relations - presiding over the Conference on Disarmament. I have full confidence that under your leadership, the Conference will be able to further its work to conclude the negotiations on the comprehensive test-ban treaty (CTBT), the foundation of which has been laid down by your predecessor, Ambassador Aye of Myanmar, whom I should sincerely thank for the excellent manner with which he conducted our previous deliberations.

It is a distinct privilege for me to take the floor in this plenary session after listening to the inspiring statement from His Excellency Mr. Ali Akbar Velayati, the Foreign Minister of the Islamic Republic of Iran. At this particular juncture, I would simply like to recall that all members of the Conference on Disarmament - whether they are States parties or non-States parties to the non-proliferation treaty - have committed themselves to conclude the CTBT in 1996. Genuine optimism was expressed, on a great number of occasions, to the effect that the goal to complete the treaty is within our grasp. A number of issues, such as, for example, scope, the verification system, especially matters related to the conduct of on-site inspection, the organization and entry into force, however, remain to be resolved.

As one of the countries which cherish the goal of a total ban on nuclear-weapons tests as a step towards the total elimination of these

(Mr. Tarmidzi, Indonesia)

appalling weapons, Indonesia fully shares the Iranian concern that the negotiations on the CTBT be completed within a time-frame to which we all agreed. In this context, my delegation indeed appreciates the courageous initiative taken by the Iranian Government to present a draft as a positive contribution in an attempt to accelerate the conclusion of the negotiations this year. It is also encouraging to note that the text was not seen as an alternative, or a substitute for the current rolling text. Together with the rolling text, the draft, which has been presented to the Conference by His Excellency Mr. Ali Akbar Velayati, the Foreign Minister of the Islamic Republic of Iran, could, if necessary, be used to search for a balanced compromise resolution to the unresolved issues with which we are confronted. Although, at the first reading of the draft proposals, some issues are not in line with the position of my delegation, nevertheless, Indonesia is ready to study the matter further. My delegation will, therefore, study that text carefully and subsequently submit it to the authorities concerned in Indonesia for a political decision.

Let me conclude by taking this opportunity to remind all participating States in the negotiations that two months have elapsed while no tangible results have been achieved as far as the outstanding issues are concerned. I would therefore like to repeat my appeal to all participating countries to redouble their efforts and to demonstrate their political will to conclude the CTBT within the agreed time-frame.

The PRESIDENT: I thank the representative of Indonesia for his statement and also for the kind words addressed to the Chair. I now give the floor to the distinguished representative of Myanmar, Ambassador Aye.

Mr. AYE (Myanmar): As I take the floor for the first time during your presidency, allow me first to congratulate you on your assumption of the presidency of the CD. I am confident that we shall enjoy productive results in the CD under your able guidance. Please be assured of my delegation's continued support and cooperation during your tenure.

May I take this opportunity to extend a very warm welcome to the honourable Minister for Foreign Affairs of the Islamic Republic of Iran, His Excellency Dr. Ali Akbar Velayati? We have listened to his constructive statement and proposals on CTBT with keen interest. My delegation welcomes the presentation of a possible compromise text on a comprehensive nuclear-test-ban treaty by the honourable Minister for Foreign Affairs of the Islamic Republic of Iran. We are all aware of the contribution made by the delegation of Iran to the work of the CD and this text will, no doubt, constitute another important input by Iran to the CTBT negotiations at this important juncture. My delegation's preliminary observation on this possible text is that it is indeed a compromise text and will provide a helpful basis for further negotiations. The text certainly deserves to be carefully studied. I would, accordingly, like to thank His Excellency Dr. Velayati for tabling this important document in the CD with a view to facilitating the ongoing CTBT negotiations.

The PRESIDENT: I thank the representative of Myanmar for his statement and for the kind words addressed to the Chair. I give the floor to Ambassador Benjelloun-Touimi of Morocco.

Mr. BENJELLOUN-TOUIMI: (Morocco) (translated from French): Mr. President, I will have the pleasure of congratulating you at greater length on a future occasion. Today I would like to take the floor very briefly to welcome His Excellency the Minister for Foreign Affairs of Iran, Mr. Velayati, and to commend him for the clarity of his remarks, his reflections, his analyses, and thank him for his proposals. The Kingdom of Morocco and the Islamic Republic of Iran, which are both active members of the Organization of the Islamic Conference, have close ties on the political, economic and cultural planes. The Moroccan delegation welcomes with interest the draft text presented by the Islamic Republic of Iran and takes note of the constructive proposals it contains. My country, faithful to its tradition of openness and dialogue, will continue to consider with flexibility any proposal which is likely to move our negotiations forward. My country takes note of the positive contribution and consistent efforts made by the Islamic Republic of Iran to enable a comprehensive test-ban treaty to be concluded before the end of this year.

The PRESIDENT: I thank the distinguished Ambassador of Morocco for his statement and the kinds words he addressed to the Chair, and I give the floor to the distinguished representative of Sri Lanka, Ambassador Goonetilleke.

Mr. GOONETILLEKE (Sri Lanka): Mr. President, permit me to say how pleased my delegation is at seeing you presiding over the Conference at this crucial juncture. We are confident that the Conference will conduct its negotiations with added vigour with you presiding over the Conference, as well as functioning as the Chairman of the Ad Hoc Committee on an NTB.

My delegation listened with great interest to the statement made by His Excellency Dr. Ali Akbar Velayati, Foreign Minister of the Islamic Republic of Iran. While thanking him for his presence and the statement delivered by him this morning my delegation wishes to express its deep gratitude for the contribution made by him to help the CTBT negotiations by presenting a clean text of the draft CTBT contained in document CD/1384 of 21 February.

The Conference on Disarmament commenced its negotiations on a CTBT in 1994. There was a time when some delegations urged the Conference to complete negotiations by the end of that year. In retrospect, one has to admit that it was too ambitious a target. However, the fiftieth General Assembly, by its resolution 50/65, requested the CD to complete the final text of the treaty as soon as possible in 1996. Having listened to the statements made in this chamber since the beginning of the CD's 1996 session, it is crystal clear that there is a commonly held view that the CTBT negotiations should be completed in 1996 and every attempt should be made to complete this work by June at the latest. That being the case, we have to realize that the CD has to speed up its negotiations if it is to achieve its objective with regard to the time-frame. The speed with which we have been conducting our work thus far has justifiably made some delegations sceptical as to whether the CD will be

(Mr. Goonetilleke, Sri Lanka)

able to complete its negotiations by June. This has led some delegations, and groups of delegations, to consider the need for working at a faster pace. The Iranian initiative to present a clean text to the CD today is one such step to speed up the negotiations. As the days progress, there may be other initiatives as well.

Sri Lanka will welcome any initiative that will genuinely contribute towards the speeding up of our work. In this spirit, we would warmly welcome the Iranian text as it is bound to contain language which may help the Conference to decide on issues which are yet to be resolved by the negotiators. My delegation is, however, aware of the apprehensions entertained by some delegations that a new, clean text might delay the negotiations, given the prospect that their home authorities, who have thus far focused on the current rolling text contained in document CD/1364, will now be called upon to refocus on a new text. This will be the situation if an attempt is made at this stage to replace the present rolling text with a new one. On the other hand, such a move will lead to a protracted debate in the CD, thus consuming much-needed time and resources available to the Conference.

In my opinion, such a situation may not come to pass if the CD decides not to replace the present rolling text with a new text. In such a situation, delegations will have the benefit of having a clean text which can be referred to whenever there is a need for such reference. The honourable Foreign Minister of the Islamic Republic of Iran, in his statement, clearly stated that the text contained in document CD/1384 was not meant to be a substitute to the present rolling text. My delegation is grateful for that clarification. Having said this, one should not completely exclude the possibility of having to rely upon an alternative text, should a situation develop in the CD warranting such a decision.

Finally, Mr President, I would like to thank you once again for giving me the floor and also thank His Excellency the Foreign Minister of the Islamic Republic of Iran for his contribution to our work for a CTBT at this crucial juncture.

The PRESIDENT: I thank the distinguished representative of Sri Lanka, Ambassador Goonetilleke, for his statement and kind words he addressed to the Chair. I would like to give the floor to the distinguished Ambassador of Australia.

Mr. STARR (Australia): Thank you, Mr. Chairman. Mr. President, I would like to congratulate you on your assumption of the presidency of the Conference. You'll forgive my error in referring to you as a Chairman - that is undoubtedly your more familiar role - but we undoubtedly welcome you as President and look forward to cooperating with you in this field as well as in the field of the Ad Hoc Committee on an NTB.

(Mr. Starr, Australia)

I have listened most carefully to the statement by His Excellency the Foreign Minister of the Islamic Republic of Iran and I would like to welcome it as a contribution designed to assist the most important negotiating effort that we have this year, the negotiation of a comprehensive test-ban treaty.

I noted particularly that the statement brought forward a text which had been compiled after the most careful study: the divergences had been examined, the 1,200 or 1,300 brackets checked, and the Iranian officials undertaking that study had come to the conclusions that there were few distinct issues in front of us. The distinguished Ambassador of Mexico made a similar point, and I recall that I have similarly mentioned this to the Conference. It seems to me that the more delegations study the text, the more they come to the conclusion that the goal of concluding this treaty soon, in 1996, is feasible. We have heard this morning from several delegations reiteration of the objectives of delegations around this table that we can complete by the middle of the year. It has always been a matter of concern as to whether such completion if feasible. I believe that we have had this morning a contribution to an assessment that that goal is feasible and that we should be able to achieve it. Likewise, I am heartened by the shared sense of urgency that I have noted around this table. It came from His Excellency the Foreign Minister, but also other speakers, and there is an obvious desire to intensify and refocus and complete these negotiations. My delegation looks forward to working closely with these delegations and, I would hope, all around this table to achieve our objective.

The PRESIDENT: I thank Ambassador Starr of Australia for his statement and for the kind words he addressed to the various Chairs behind this table. I now give the floor to the distinguished representative of Egypt, Ambassador Zahran.

Mr. ZAHRAN (Egypt) (translated from Arabic): Sir, I greet you as President and wish you every success not only as President of the Conference on Disarmament but also as Chairman of the Ad Hoc Committee on a Nuclear Test Ban, in which we both work, I as Chairman of the Working Group on legal and institutional issues. We have been working together to make progress in negotiations on the CTBT. In that context, I should like to welcome the statement made by Dr. Ali Akbar Velayati, Minister for Foreign Affairs of the Islamic Republic if Iran, and his contribution to the advancement of the negotiations on the treaty. We welcome any initiative that is likely to expedite the conclusion of negotiations on this important treaty, which we regard not only as a treaty on non-proliferation but also as an important step towards the objective which we all want to achieve, namely nuclear disarmament.

We have received the Iranian text of the treaty and we shall study it carefully in order to see how we can benefit from it in order to move the negotiations forward. We note that there is a measure of agreement on the rolling text and have taken cognizance of the statement by the Minister for Foreign Affairs of Iran that the proposed text is not a substitute for the basic negotiating text but rather a means of helping to expedite the conclusion of negotiations. We therefore welcome this initiative and hope that it will be helpful on matters on which there is still disagreement.

The PRESIDENT: I thank the distinguished Ambassador of Egypt for his statement and also for his kind words addressed to the Chair. I wonder whether any other delegation wishes to take the floor at this stage? If this is not the case, I would like to draw your attention to the fact that the secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable is, as usual, merely indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: I should like to remind you that, in accordance with the timetable of meetings for this week, this plenary meeting will be followed immediately by a meeting of Working Group 2 of the Ad Hoc Committee on a Nuclear Test Ban. The next plenary meeting of the Conference will be held on 29 February 1996 at 10 a.m.

The meeting rose at 11.30 a.m.